



## Northern Ireland Assembly Official Report (Hansard)

Roulston, S., & Milliken, M. (2021, Apr 26). Northern Ireland Assembly Official Report (Hansard). (5 ed.) NI Assembly.

[Link to publication record in Ulster University Research Portal](#)

### **Publication Status:**

Published (in print/issue): 26/04/2021

### **Document Version**

Publisher's PDF, also known as Version of record

### **General rights**

Copyright for the publications made accessible via Ulster University's Research Portal is retained by the author(s) and / or other copyright owners and it is a condition of accessing these publications that users recognise and abide by the legal requirements associated with these rights.

### **Take down policy**

The Research Portal is Ulster University's institutional repository that provides access to Ulster's research outputs. Every effort has been made to ensure that content in the Research Portal does not infringe any person's rights, or applicable UK laws. If you discover content in the Research Portal that you believe breaches copyright or violates any law, please contact [pure-support@ulster.ac.uk](mailto:pure-support@ulster.ac.uk).



# Official Report (Hansard)

Monday 26 April 2021  
Volume 138, No 5

# Contents

<b>Assembly Business</b>	1
Public Petition: St Conor's Primary School, Omagh: Additional Parking and Traffic-calming Measures .....	2
<b>Ministerial Statements</b>	
British-Irish Council: Misuse of Substances .....	3
Wildfire in the Mourne Mountains .....	8
<b>Executive Committee Business</b>	
Horse Racing (Amendment) Bill: Second Stage .....	17
<b>Oral Answers to Questions</b>	
Health .....	20
Infrastructure.....	29
<b>Executive Committee Business</b>	
Horse Racing (Amendment) Bill: Second Stage ( <i>Continued</i> ) .....	38
<b>Private Members' Business</b>	
'Academic Selection and the Transfer Test' .....	41

# Assembly Members

Aiken, Steve (South Antrim)	Irwin, William (Newry and Armagh)
Allen, Andy (East Belfast)	Kearney, Declan (South Antrim)
Allister, Jim (North Antrim)	Kelly, Mrs Dolores (Upper Bann)
Anderson, Ms Martina (Foyle)	Kelly, Gerry (North Belfast)
Archibald, Dr Caoimhe (East Londonderry)	Kimmins, Ms Liz (Newry and Armagh)
Armstrong, Ms Kellie (Strangford)	Long, Mrs Naomi (East Belfast)
Bailey, Ms Clare (South Belfast)	Lunn, Trevor (Lagan Valley)
Barton, Mrs Rosemary (Fermanagh and South Tyrone)	Lynch, Seán (Fermanagh and South Tyrone)
Beattie, Doug (Upper Bann)	Lyons, Gordon (East Antrim)
Beggs, Roy (East Antrim)	Lyttle, Chris (East Belfast)
Blair, John (South Antrim)	McAleer, Declan (West Tyrone)
Boylan, Cathal (Newry and Armagh)	McCann, Fra (West Belfast)
Bradley, Maurice (East Londonderry)	McCrossan, Daniel (West Tyrone)
Bradley, Ms Paula (North Belfast)	McGlone, Patsy (Mid Ulster)
Bradley, Ms Sinéad (South Down)	McGrath, Colin (South Down)
Bradshaw, Ms Paula (South Belfast)	McGuigan, Philip (North Antrim)
Brogan, Ms Nicola (West Tyrone)	McHugh, Maolíosa (West Tyrone)
Buchanan, Keith (Mid Ulster)	McIlveen, Miss Michelle (Strangford)
Buchanan, Thomas (West Tyrone)	McLaughlin, Ms Sinead (Foyle)
Buckley, Jonathan (Upper Bann)	McNulty, Justin (Newry and Armagh)
Bunting, Ms Joanne (East Belfast)	Mallon, Ms Nichola (North Belfast)
Butler, Robbie (Lagan Valley)	Maskey, Alex (Speaker)
Cameron, Mrs Pam (South Antrim)	Middleton, Gary (Foyle)
Carroll, Gerry (West Belfast)	Muir, Andrew (North Down)
Catney, Pat (Lagan Valley)	Mullan, Ms Karen (Foyle)
Chambers, Alan (North Down)	Murphy, Conor (Newry and Armagh)
Clarke, Trevor (South Antrim)	Nesbitt, Mike (Strangford)
Dickson, Stewart (East Antrim)	Newton, Robin (East Belfast)
Dillon, Ms Linda (Mid Ulster)	Ní Chuilín, Ms Carál (North Belfast)
Dodds, Mrs Diane (Upper Bann)	O'Dowd, John (Upper Bann)
Dolan, Ms Jemma (Fermanagh and South Tyrone)	O'Neill, Mrs Michelle (Mid Ulster)
Dunne, Gordon (North Down)	O'Toole, Matthew (South Belfast)
Durkan, Mark (Foyle)	Poots, Edwin (Lagan Valley)
Easton, Alex (North Down)	Robinson, George (East Londonderry)
Ennis, Ms Sinéad (South Down)	Rogan, Ms Emma (South Down)
Flynn, Ms Órlaithí (West Belfast)	Sheehan, Pat (West Belfast)
Foster, Mrs Arlene (Fermanagh and South Tyrone)	Sheerin, Ms Emma (Mid Ulster)
Frew, Paul (North Antrim)	Stalford, Christopher (South Belfast)
Gildernew, Colm (Fermanagh and South Tyrone)	Stewart, John (East Antrim)
Givan, Paul (Lagan Valley)	Storey, Mervyn (North Antrim)
Hargey, Ms Deirdre (South Belfast)	Sugden, Ms Claire (East Londonderry)
Harvey, Harry (Strangford)	Swann, Robin (North Antrim)
Hilditch, David (East Antrim)	Weir, Peter (Strangford)
Humphrey, William (North Belfast)	Wells, Jim (South Down)
Hunter, Ms Cara (East Londonderry)	Woods, Miss Rachel (North Down)

# Northern Ireland Assembly

Monday 26 April 2021

*The Assembly met at 12.00 noon (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

**Mr Speaker:** Members, before we start the plenary sitting, I want to make a few remarks. I regret that, today, I again have to start our business by addressing some outstanding issues of order. Last week, as you are aware, I wrote to all Members to point out that the standards of courtesy, good temper, moderation and respect do not prohibit robust debate. The majority of the debate on conversion therapy was a very good example of that. Given the differences in opinion in the House, there were inevitably some difficult and uncomfortable things said. There was also a recognition of the sensitivity of the subject, and it is my view that it was clear that most Members were mindful of the need to respond to that accordingly.

One Member, unfortunately, was the exception, and that is Jim Wells. I have given Mr Wells notice that I would be making reference to him this morning. During that debate, Deputy Speaker Beggs intervened and managed individual issues entirely appropriately at the time. Mr Wells, however, did not take the many prompts to adjust his approach that were clear in the Deputy Speaker's interventions. Mr Wells had the chance to make his own remarks last week, unfettered. Following his contribution, however, Mr Wells's behaviour was quite disruptive to the opportunity for other Members to be heard. In particular, Mr Wells persistently sought to make interventions when it was clear that they would not be accepted. That has always been viewed as being discourteous and disorderly. He interrupted a number of Members from a sedentary position, and he made spurious points of order on a number of occasions. I also note Mr McCrossan's point of order from last week that Mr Wells moved seat on a number of occasions and failed to sanitise the location that he was leaving. In my view, that was another example of a lack of courtesy to other Members. Having reviewed the Official Report, I feel that it is obvious that Mr Wells's behaviour in the final section of the discussion

was detrimental to the ability of the Assembly to have a constructive debate.

I was very reluctant to come back to issues of order so soon. I have done so for a couple of reasons, however. First, I have written to Mr Wells privately twice about his behaviour, and, although I appreciate that he has always replied very promptly and courteously, it has not prevented a reoccurrence of unacceptable behaviour.

Secondly, I wrote to all Members last Monday, setting out in comprehensive terms what the standards of courtesy, good temper, moderation and respect mean. Finally, it was clear at the time, and from the feedback that I have had from all sides of the House since, that there was a sense, almost, of exasperation among some Members at being interrupted by Mr Wells as they tried to have a serious, orderly and constructive debate.

I am particularly disappointed to have to make these remarks because, on a number of occasions on which he assisted the Assembly by presiding over debates in this Chair, Mr Wells did so fairly and professionally. I acknowledge that. In doing so, he demonstrated that he well understood the rules and conventions of the Assembly and the need to keep order.

I do not intend to take any action on this occasion, but I decided to address the matter in the Chamber today in the sincere hope that Mr Wells seriously reflects on how he will conduct himself and interact with Members in future. The number of Members who declined interventions from Mr Wells should, in itself, be enough cause for Mr Wells to reflect.

I consider the matter closed, and we will leave it there for today.

## **Public Petition: St Conor's Primary School, Omagh: Additional Parking and Traffic-calming Measures**

**Mr Speaker:** Mr Daniel McCrossan has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes in which to speak.

**Mr McCrossan:** I present a petition on behalf of 1,301 parents, grandparents, carers, pupils, teachers, staff and residents who either attend St Conor's Primary School on the Brookmount Road in Omagh or live nearby. I would be grateful if it could be forwarded to the Minister of Education for consideration.

The petition reads:

*"We, the undersigned parents, carers and teachers at St Conor's and local residents living near the school, call on the council, local authority and the Department and Minister of Education to work together to provide additional safety measures at the school."*

St Conor's is a busy, vibrant school. It is on a small plot of land next to a busy road. There is no land on the school site that could be used for extra parking or to assist with or alleviate that serious concern. There are 440 pupils and over 50 teachers on the site, and it is clear to anyone who goes to the school at the start or end of each day that there is not sufficient parking or space on the existing school site to ensure the safety of children, teachers or parents.

The petition shows the strength of public support for a resolution of the situation. Some 1,300 people signed the petition in just under a fortnight, not online but in the old-fashioned way by hand. I have already flagged the issues with the Minister of Education, Minister Weir. To his credit, he responded promptly to confirm that departmental officials were working with St Conor's Primary School and other agencies to improve the situation.

The petition shows the strength of feeling in and around St Conor's. I have raised the issue with local council chief executive Alison McCullagh, who confirmed:

*"The council would be willing, in principle, to facilitate the development of the car park on its land adjacent to the school."*

I believe that we are making progress. The current situation is unsustainable, and the petition shows that people who live nearby and

who use the school feel the same way. I hope that the Minister of Education and his officials can, in consultation with other agencies and the council, come up with a workable and practical solution to the problem.

**Mr Speaker:** As the Member knows, I would normally invite him to bring his petition to the Table and present it. However, in light of social distancing, I ask the Member to remain in his place and make arrangements to submit the petition to my office. I thank the Member for bringing the petition to the attention of the Assembly. Once the petition is received, I will forward it to the Minister of Education and send a copy to the Committee.

## Ministerial Statements

### British-Irish Council: Misuse of Substances

**Mr Speaker:** I have received notice from the Minister of Health that he wishes to make a statement. Before I call the Minister, I remind Members in the Chamber that, in light of the social distancing being observed by parties, the Speaker's ruling that Members must be in the Chamber to hear a statement if they wish to ask a question has been relaxed. Members participating remotely must make sure that their name is on the speaking list if they wish to be called. Members present in the Chamber must do that by rising in their place or by notifying the Business Office or the Speaker's Table directly. I remind Members to be concise in asking questions. I also remind Members that, in accordance with long-established procedure, points of order are not normally taken during a statement or the question period thereafter.

**Mr Swann (The Minister of Health):** Before making the statement, I take the opportunity to place on record my thanks and to pay tribute to the firefighters and the leadership of the Northern Ireland Fire and Rescue Service (NIFRS), the partner organisations and the wider community, who worked tirelessly over the weekend to bring the fire in the Mournes under control.

I thank them, as Minister with responsibility for NIFRS, for the work that they did over the weekend.

With your permission, Mr Speaker, I wish to make the following statement on the British-Irish Council (BIC) misuse of substances work sector ministerial meeting, which took place in virtual format on Thursday 11 March 2021. Minister Hargey and I attended the meeting, and Minister Hargey has agreed that I make this statement to the Assembly on behalf of both of us.

The Irish Government lead the misuse of substances work sector, and hosted the ministerial meeting. As Chair of the meeting, Frank Feighan TD, Minister of State for Public Health, Well Being and the National Drugs Strategy, welcomed the delegations. The Northern Ireland Executive were represented by Deirdre Hargey MLA, Minister for Communities, and me, as Minister of Health. The Government of Guernsey were represented by Deputy Al Brouard, President of the Committee for Health and Social Care. The Isle of Man Government

were represented by the Honourable Ray Harmer MHK, Minister for Policy and Reform. The Government of Jersey were represented by Deputy Trevor Pointon, Assistant Minister for Health and Social Services. The Scottish Government were represented by Mairi Gougeon MSP, Minister for Public Health and Sport, and Angela Constance MSP, Minister for Drugs Policy. The UK Government were represented by Jo Churchill MP, Parliamentary Under-Secretary of State for Prevention, Public Health Care and Primary Care. The Welsh Government were represented by Eluned Morgan MS, Minister for Mental Health, Wellbeing and Welsh Language.

This most recent ministerial meeting of the misuse of substances work sector was an excellent opportunity to engage with Ministers from the other BIC member Administrations on an area that is as relevant and important as it has ever been, the harms caused to individuals, families and communities by alcohol and drug use.

The meeting focused on ways to reduce alcohol consumption and opportunities to measure the effectiveness of addiction services, and considered how the future work of the sector can progress.

Ministers considered and reflected on the papers that were formally presented to the meeting. Those included discussions on 'Financial Mechanisms to Reduce the Consumption of Alcohol' and 'Measuring the Effectiveness of Addiction Services and Harm Reduction Interventions'.

Ministers noted the efforts across all member Administrations to decrease alcohol consumption and agreed that there was value in comparing approaches and sharing learnings from the emerging evidence base. They also recognised the importance of effective monitoring and evaluation to ensure that policy and practice are developed on the basis of sound evidence and that sharing this diversity of knowledge, understanding, experiences and learning across member Administrations affords a unique resource for enhancing monitoring and evaluation.

Ministers noted and agreed the content of the forward work programme for the misuse of substances work sector. To address the challenges for the sector, they agreed that focus in the coming years should be on the following five themes: considering the lessons of COVID-19 and the delivery of drug and alcohol services; reducing the risk of drug-related deaths; reducing alcohol-related harms

through the use of financial mechanisms; considering joined-up approaches to meeting the health and social needs of people who are homeless and use drugs and alcohol; and engaging with the voluntary and community sectors to consider their role in the provision of drug and alcohol services, and in the development and monitoring of policy.

Each of the five theme areas is being led by one of the member Administrations. The Northern Ireland Executive agreed to take the lead on moving forward with theme 4, which considers joined-up approaches to meeting the health and social needs of people who are homeless and use drugs and alcohol. We will do that in conjunction with the British-Irish Council housing work sector.

Ministers also had the opportunity to listen to a presentation by Professor Dame Carol Black on prevention, treatment and recovery, which was informative and timely. Professor Dame Carol has been undertaking an independent review of drugs in England for the United Kingdom Government Department of Health and Social Care. Her presentation focused on part 2 of her review and provided insight into lessons learned from the review study. The overarching aim of the review is to ensure that vulnerable people with substance use needs get the support to recover and turn their lives around in the community and in prison.

I take this opportunity to thank Minister Hargey and British-Irish Council ministerial colleagues across the Administrations who participated so productively in the meeting last month. I welcome the council's work sector activity and the way in which it provided us with a great opportunity to discuss the issues, look at emerging issues of concern, share information and good practice, and bring forward agreed actions and areas for collaboration.

I commend the statement to the House.

**12.15 pm**

**Mr Gildernew (The Chairperson of the Committee for Health):** I thank the Minister for coming along today and giving us this statement. First, I join him in praise and acknowledgment of the Fire and Rescue Service for its work in very difficult circumstances in the Mournes over the weekend. I also acknowledge that many of us, beyond the people who live there, who enjoy and like to visit that area of natural beauty feel a sense of deep regret for that loss. I ask everyone to be conscious of fire safety and the impact that the damage caused by

carelessness or, indeed, the deliberate lighting of fires can have.

I also welcome the fact that the vaccine programme is now rolling out fully to 35- to 39-year-olds and acknowledge the good work that is being done in that respect. I encourage everyone in that age range to avail themselves of the vaccine in order to protect themselves and their families.

The recent health inequalities report contains data that shows that alcohol- and drug-related indicators continue to show some of the largest health inequalities that are monitored in the North, with rates of drug-related mortality in the most-deprived areas five times those in the least-deprived areas. The rates of alcohol-specific mortality are four times those in the least-deprived areas. What is the Minister's Department going to do to begin to address that ongoing historical trend in inequalities?

**Mr Swann:** I thank the Chair for his question. Although the topic was not discussed at the British-Irish Council meeting, I know that it has been raised at the Health Committee and that the Chair has asked for a specific presentation about the health inequalities that we are seeing.

My Department continues to focus on a number of strategies and work streams that are already out there. The Chair will be aware of the new strategic direction for alcohol and drugs (NSD) phase 2, which has had £8 million of investment in health and social care provision for tackling and evaluating the work that needs to be done. The strategic framework to tackle the harm from substance use has been out for a public consultation, which closed on 12 February. My Department is analysing the responses that have been received, and a new strategy will be finalised before seeking ministerial and Executive approval.

**Mrs Cameron:** I thank the Minister for his statement. The issues of drug and alcohol misuse have been ever more prevalent in society, and many people have concerns that, during the period of lockdown, substance misuse behind closed doors will have dramatically increased. The problem will have been further exacerbated by restrictions on, and withdrawal of, some support services for mental health and addiction. Will the Minister outline whether the Council will consider the importance of dual diagnosis services as part of its forward work plan? Often, the issues of poor mental health and addiction are intertwined.



**Mr Swann:** I thank the Member for her comments. Again, this was not specifically raised at the British-Irish Council meeting. However, my Department is actively engaged on those issues and, as the Member will know, they are part of the mental health strategy that is out for consultation at the moment to see how that service can be developed and progressed across Northern Ireland so that nobody falls between the cracks. My Department intends to make sure that everybody gets the support that they need.

**Ms Hunter:** I thank the Minister for his statement and for his commitment to improving the lives of those who are struggling with substance misuse. The topic of alcoholism has touched all of us in some way. Was there any discussion about how we can best support the families and children of parents who struggle with alcoholism?

**Mr Swann:** I thank the Member for her comments. Our new substance use strategy will, quite clearly, deal with those issues. It is a commitment under New Decade, New Approach that the Northern Ireland Executive publish a successor to the current alcohol and drugs strategy. Our new substance use strategy, 'Making Life Better — Preventing Harm and Empowering Recovery: A Strategic Framework to Tackle the Harm from Substance Use' has been co-produced by the Department of Health, working in partnership with key stakeholders inside and outside government, including service users and their families.

**Mr Chambers:** I thank the Minister for his statement, and I concur with his remarks about the fires in the Mourne Mountains. They certainly could have been a lot worse but for the efforts of the firefighters.

Minister, as outdoor hospitality opens at the end of this week, followed by indoor a few weeks later, there is a real possibility that a large number of people from the Irish Republic, many of whom are still not vaccinated, will cross the border to socialise. Does the Minister believe that the PSNI, and the guards especially, have a role to play in emphasising the relevant travel restrictions and public health advice?

**Mr Swann:** I thank the Member for his question and comment. Again, that issue was not covered at the British-Irish Council meeting, but I know that it is being talked and asked about.

Where cross-border travel is concerned, the Republic of Ireland's travel regulations are very clear: there should not be outside-county travel,

and that includes coming into Northern Ireland. There is an onus not just on the guards and the PSNI but on those in the hospitality industry not to actively promote or seek cross-border business and trade while there is such a disparity in vaccination rates on either side of the border.

**Ms Bradshaw:** I thank the Minister for his statement. I also place on record my thanks to the Northern Ireland Fire and Rescue Service for its efforts at the weekend.

Minister, you will be aware that the Irish Government are proceeding with the minimum unit price for alcohol and are planning to have it in place by the end of the year. Will you please outline whether that was discussed at the meeting? What is your Department doing to proceed with that in Northern Ireland?

**Mr Swann:** I thank the Member for raising something that was discussed at the meeting. *[Laughter.]* While drug misuse is a key issue in Northern Ireland, alcohol misuse still causes more harm at a population level in Northern Ireland. In fact, alcohol misuse kills up to three times as many people in Northern Ireland each year as drug use. It is fair to say that alcohol remains our drug of choice, and we have the combined alcohol and drug strategy in order to increase the emphasis that is put on the harm that is related to alcohol misuse and to raise the issue on the public, media and political agendas. The harms caused by the misuse of alcohol are a major public health issue in Northern Ireland, and I believe that the introduction of legislation for minimum unit pricing for alcohol has the potential to be a key population-level health measure to address the issue. I have, therefore, made a commitment to have a full consultation on minimum unit pricing once our new substance use strategy is finalised.

The consultation on minimum unit pricing will examine a range of possible options for alcohol pricing, including the consideration of the emerging evidence on the effectiveness of minimum unit pricing following its implementation in Scotland and elsewhere. The policy considerations arising from the consultation will be brought to the Executive in due course.

**Mr O'Dowd:** I thank the Minister for his statement and answers thus far. Minister, I welcome the important cooperation across these islands and the particular focus on alcohol abuse. However, in order to deliver services, we need staff. What measures is the

Minister taking to ensure that we have the staff and resources in place to focus not only on this piece of work but on other work that is important to the health service?

**Mr Swann:** I thank the Member for his point. The strength of the British-Irish Council is shown because we can raise and discuss those issues, as they do not happen in isolation in Northern Ireland, the Republic of Ireland, Jersey or the Isle of Man. There is a lot of challenging work that can be done on asking, "Have I enough staff in the Department?" We recently looked at recruiting and bringing across a number of officials to the Department. I am not sure whether the Member is aware that the Department of Health is one of the smaller Departments in the Executive, although a lot of our other work is done by arm's-length bodies. The focus that we have on our substance use strategy and all the other strategies involves a wide range of interventions and support. Thankfully, as we come out of the pandemic, we can release officials back to their key areas of policy focus, which look at those pieces of work. When we no longer have to put such an intense focus on COVID and COVID-prevention measures, the Department of Health and the officials who work in it can get back to their core service.

**Ms Flynn:** I thank the Minister for bringing the statement to the House today. This has been touched on, but it is disappointing that there is no mention in the statement of dual diagnosis. I am conscious that it was not on the agenda.

Will the Minister commit to putting it on the agenda for the next BIC meeting? We know that many people who are battling substance misuse are also battling mental health problems. I have regularly discussed in Health Committee meetings the number of cases that we, as MLAs, deal with of people in crisis who cannot get help and support. On Friday, I met the family of Jack Brennan, a young man who lost his life in west Belfast three months ago. Sadly, he is one of many. Can the Minister give any firm commitment on when a dual diagnosis service could be in place here or a timeline for that? It would be great to act as that voice in wider meetings on that important issue.

**Mr Swann:** I thank the Member, and I know her genuine interest in this area. It is something that she continually raises. Part of the mental health strategy and consultation is the recognition of the need for support for dual diagnosis and how we look after that. Northern Ireland is leading on the work stream around the joined-up approaches of meeting the health and social

needs of people who are homeless and use drugs and alcohol, so there is an opportunity to further explore dual diagnosis under that work schedule. Again, I lead on that with the Member's party colleague Deirdre Hargey, the Minister for Communities. I will raise it with Deirdre, and we will see whether we can get it on the agenda for the next British-Irish Council meeting.

**Mr Robinson:** I thank the Minister for his statement. What measures are being taken — North and South — by the PSNI and the gardaí to jointly apprehend the godfathers who are peddling the lethal drugs, particularly to our younger generation?

**Mr Swann:** I thank the Member. Again, it was not raised in the meeting because it is wider than just North/South cooperation. With regard to working closely with the PSNI and the justice system, there is a sharing of information to take the appropriate joint action to reduce the supply of and demand for drugs. A subgroup of the organised crime task force meets specifically to share information on drugs and to take joint enforcement action, such as Operation Pangea. The medicines regulatory group and the Department also work in day-to-day cooperation with a wide range of local, national and international enforcement partner organisations. That includes the gardaí, the Police Service of Northern Ireland, Border Force, HM Revenue and Customs and the National Crime Agency. It also extends as far as Interpol, which addresses the illicit supply of drugs and prescription drugs.

**Mr Durkan:** I thank the Minister for his statement on this very important subject. Over the past number of years, we have seen an increase in the misuse of prescription drugs. Can the Minister tell us whether the situation is more pronounced here than elsewhere? Are there lessons that we can learn from other Administrations' efforts to tackle it?

**Mr Swann:** I thank the Member for his question. We have seen concern not just about the misuse of prescription drugs but about prescription drugs becoming a commodity and now being sold rather than being used by the people who need them. Operation Pangea brings in the cross-sectoral approach in trying to tackle that and to identify those who are not only misusing but selling drugs, whether illicit or prescription drugs. That is why we need to take the fuller approach in how we tackle that. Our new substance use strategy, which I spoke about earlier, will also look into those specifics.

**Ms Mullan:** I thank the Minister for his statement. Minister, in theme 5, you talk about the community and voluntary sector's role. In Derry, there is a clear need for a detox centre of excellence for addiction. What priority have you put on that vital centre and the inclusion of the community and voluntary sector in working with it?

**Mr Swann:** Again, it was not something that was specifically covered in the meeting, but, under the heading "Addressing Northern Ireland's unique circumstances" in 'New Decade, New Approach', the UK Government committed to making funding available for a number of areas, which could include additional funding to support the Londonderry addiction centre. It is anticipated that the funding made available currently will not be sufficient to cover all areas set out in 'New Decade, New Approach'. However, I understand that the specific projects that the funding is aimed at supporting are to be determined by a joint board that includes the Secretary of State and the First Minister and deputy First Minister.

**12.30 pm**

**Mr McCrossan:** Minister, thank you for your statement. Drugs are a scourge on our society. A few short years ago, in Christmas week, I saw the devastation and pain that they can cause as I watched my aunt and uncle bury their very young son. He took a pill whilst out on a social night with friends, and he died.

Given that we are seeing an increase in the level of drug misuse in our communities, among young people in particular, what message do you, as the Minister of Health, have for those young people to steer them away from that?

**Mr Swann:** The Member will be aware of the campaigns by the Public Health Agency and all the other organisations. One of the strongest messages has come from community activists on social media: "One pill can kill". It does not matter what or who is your source of information, it is about the recognition that one pill has the ability — the terrible ability — to end a life. Somebody may be seeking a release or think that it will bring about a good feeling, but it can cause the end of a life, and families and communities have to bear that pain and loss afterwards. I ask people to please step away from utilising illegal drugs, the misuse of prescription drugs and supporting what are criminal activities.

**Miss Woods:** I thank the Minister for his statement. I also thank the Northern Ireland Fire

and Rescue Service for its ongoing work in dealing with the tragedy in the Mournes.

One of the five themes of work mentioned in the statement is reducing risk and harm. That is welcome. Does the Minister agree that, fundamentally, addiction and substance misuse are health issues and that, if we are really intent on reducing drug-related harm, we need to destigmatise addiction and remove the fear of seeking help? Does he also agree that decriminalising vulnerable people and boosting professional help services is the way forward, an approach otherwise known as the Portuguese model?

**Mr Swann:** I thank the Member. It is about destigmatising those who seek help and want to end their dependence on drugs or even alcohol. That is why that work is done through the Public Health Agency, the Department and very many in the voluntary and community sector. Given that those services are supported through Community Pharmacy, it is unfortunate that they are seen as a threat, rather than the solution that they bring, because of a misunderstanding by certain sections of the community. I agree with the Member that we will help people by destigmatising their problems. We also need to make sure that the real focus and ire are directed at those in the community who are exploiting the needs of those people and are involved in criminal activity.

**Mr Speaker:** That concludes questions on the statement. I ask Members to take their ease for a moment or two.

We have a bit of a dilemma. We received the statement from the Minister for Agriculture, Environment and Rural Affairs only a few minutes ago, and it is a statement of, I think, nine pages. I propose allowing Members a few minutes to read the document. If Members will indulge me, rather than suspending for almost half an hour, we will suspend for 10 minutes. Are Members content to suspend for 10 minutes? May I take that as a yes?

**Some Members:** Yes.

**Mr Speaker:** Thank you very much. We will suspend for 10 minutes.

*The sitting was suspended at 12.33 pm and resumed at 12.46 pm.*

*(Mr Principal Deputy Speaker [Mr Stalford] in the Chair)*

## Wildfire in the Mourne Mountains

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** Thank you, Mr Principal Deputy Speaker. I apologise to your office that we did not get the statement to you earlier. However, given that it is a very fast-moving situation and that people from various agencies are out on the mountain assessing things currently, we wanted to keep things as up to date as possible. Hence the delay.

Thank you for the opportunity to provide Members with an update on the wildfire that took place in the Mournes on Friday and the exceptional work by a range of organisations to get it under control, including cross-party working between the Department of Agriculture, Environment and Rural Affairs and the Northern Ireland Fire and Rescue Service (NIFRS) to protect that area of outstanding natural beauty (AONB).

I am sure that, like me, every one of you was heartbroken and sickened at the sight that unfolded on Friday evening. It is hard to grasp the scale of the fire and the devastation that occurred. While we do not know at this stage the full extent of the impact, we know that it will be significant for our environment and for the tourism economy that thrives on the unique natural beauty of that renowned area.

First, I pay tribute to all the responding organisations: the Northern Ireland Fire and Rescue Service; the PSNI; Forest Service; the Northern Ireland Environment Agency (NIEA); the UK coastguard agency; the Irish Coast Guard; and Newry, Mourne and Down District Council. All played an exceptional role over the weekend. The local community and businesses also provided practical support to the responding organisations. The NIFRS firefighters put their health, welfare and, potentially, their lives at risk and worked tirelessly with others in extremely difficult terrain and challenging conditions. I was able to see that at first hand on Saturday. We can never overestimate the invaluable role of our emergency services. Like us, those firefighters have families, and their dedication to their work and to society and their professionalism and bravery in such challenging conditions are outstanding. I know that we all wish to put that on the record.

The latest report is that, thankfully, there has been significant progress and the wildfire is now

under control. Only the extinguishing of any flare-ups by NIFRS continues. That is the result of an impressive sense of collective responsibility in all the organisations involved that was clearly evident when I visited the site on Saturday. What we witnessed over the weekend was all the preparedness and plans for tackling wildfires coming into action. There have been many years of collaboration and training and hands-on working on incidents each spring. Those well-honed arrangements, particularly across the Northern Ireland Fire and Rescue Service, the PSNI, the NIEA and Forest Service, ensure that we can respond to major incidents such as this in a coordinated and professional way.

For my Department, I assure Members that the Northern Ireland Environment Agency and Forest Service, working with the Fire and Rescue Service, deployed all the required resources and equipment to the scene and took steps to ensure that additional resources were on standby and were mobilised over the weekend to respond to further escalation or new fire outbreaks. That included DAERA personnel who provided specialist subject matter expertise in forestry and ecology, helping to inform decisions on practical actions. I am pleased to say that my Department had provided additional supplies of vehicles and firefighting equipment last year to help the Northern Ireland Fire and Rescue Service to tackle fires in such rough terrain, and I witnessed those being used. Those vehicles, as well as the coastguard helicopters, helped to transport Fire and Rescue Service staff to the best vantage points to deal with the fire. I instigated the DAERA emergency response plan and gold command to ensure that everything that could be done was being done.

I fully appreciate that we will all want to know the extent of the damage caused by the fire. There is no question that there has been extensive and widespread damage to wildlife and the environment. The area affected is part of the eastern Mournes special area of conservation (SAC) and area of special scientific interest (ASSI). It is of significant biological and geological interest due to the size, quality and diversity of the habitats in the area and the presence of particular plant and animal species. It is one of the largest and most natural areas of heathland in Northern Ireland, with a number of special heaths as well as blanket bog. Notable breeding bird species in the area include meadow pipit. High cliffs with ledges hold breeding peregrine falcons and ravens. The heathlands of the Mournes also support a variety of invertebrate communities. The summit heaths support one of the largest

collections of specialist montane invertebrates so far recorded in Ireland, and the summit of Slieve Donard is the only known Irish site for a number of key invertebrate species, such as the dwarf willow-feeding sawfly.

Our focus in the immediacy of the wildfire has been on actions to control it, so we have not yet assessed the actual damage. However, the damage extends over about three and a half square kilometres. It will be significant. It is likely that it will take decades to recover from and there will be a long-term loss to our biodiversity. Over the coming months, the Northern Ireland Environment Agency will ensure that there is a full assessment of the biodiversity loss and the necessary recovery action.

This major incident also highlights the inextricable link between wildfire and biodiversity loss. The burning of vegetation and trees releases carbon, contributing to climate change. In addition, carbon-rich habitats will play a key role in providing nature-based solutions to combat the effects of climate change, as healthy vegetation, trees and peatland provide enhanced storage and sequestration. That is another reason that we need to stop the fires. Given that such sites are valuable to us for that carbon capture, we must do more to safeguard and sustain them, particularly in this key year for nature and climate. The fires are bad for climate change and biodiversity, and we need to stop them occurring. Enforcement and legislation must be strengthened to deal with the problem.

A detailed assessment of the impacts on biodiversity across the impacted areas and the wider SAC will be commissioned to inform appropriate restoration interventions, depending on the extent and depth of the damage. It will consider the effectiveness of the wildfire prevention measures that were implemented in the eastern Mourne. As I said, at this stage, our efforts have been on working with other agencies to bring the wildfire under control.

We will work with others to fully understand the impact that it will have on the economy. Newcastle relies heavily on the tourism industry. The Mourne draw people from all over the world, such is their beauty. Already impacted by coronavirus, there will, no doubt, be a further impact as a consequence of the fire. What we have witnessed was a wildfire of a scale so significant that it was on the national and international news but not for good reasons. We must do everything that we can to avoid it happening again. At a time when we want to reinvigorate Northern Ireland as an

attractive holiday destination, that is not the image that we want to be broadcast.

I cannot emphasise enough the need for responsible behaviour by all who use the countryside, whether for work or enjoyment. We all know that fire requires three components: fuel, oxygen and an ignition source. Oxygen is in the air and, obviously, in plentiful supply. The fuel supply is provided by the vegetation in the landscape, exacerbated by drying out during warmer, drier periods. The third component — the ignition source — is vital, and it is purely down to us. I want to turn to the strong and hard messages that we all need to support regarding wildfires.

The management of Northern Ireland's landscapes will be a key factor in managing the wildfire risk and protecting Northern Ireland's most precious habitats and flora. In March 2021, I established the strategic wildfire group, which is led by my Department in conjunction with the Northern Ireland Fire and Rescue Service and will look at a range of issues, including land management, undergrazing and overgrazing and controlled burning. We need to better tackle the fuel source issue. We must consider appropriate burning of habitat to preserve the overall habitat. That needs to deliver for agricultural productivity, conservation and vegetation and fuel management. Representatives from the relevant teams across my Department are involved, and other key stakeholders will be involved, as we work to find the best way forward. There is an opportunity to build on the work being done to manage upland habitats at DAERA's Greenmount Hill Farm, in particular the trialling of appropriate land management methods for heather moorland to enhance habitats for nesting birds such as the hen harrier, merlin and red grouse, while reducing wildfire risk. Those methods can be examined further through the strategic wildfire group.

The risk of wildfires already existed in Northern Ireland, but wildfires are rarely natural. They are almost always started either deliberately or by reckless burning of inflammable vegetation or material. We need to think about all the measures that can be put in place to deter people from starting such fires. Work flowing from the strategic wildfire group will consider the adequacy of the current legislation and enforcement procedures and what improvements may be needed.

I reiterate the message that I gave on Saturday: it is absolutely wrong and illegal to start a fire, and we will work closely with the PSNI and others to make sure that those who cause such

damage are held to account. It is not a victimless crime. Lives and property are put at risk, and the environment is damaged. The economy suffers, both in the costs of fighting the fire and the impact on businesses in the vicinity. Such fires release fine particles that have a negative impact on those with respiratory conditions. Damaged sites are no longer as attractive, which impacts on the local economy. Impacted sites are not as attractive for exercise and well-being. Valuable budget is also spent on resources for the Fire and Rescue Service, PSNI, DAERA, the coastguard and others who respond to the fire and get it under control. Those costs need to be recognised. If you see someone causing a fire, you should report them to the PSNI. It is in everyone's interests that that irresponsible behaviour does not continue.

In 2020, the Northern Ireland Fire and Rescue Service responded to over 1,000 wildfires. Forest Service and the Environment Agency deal with numerous wildfires every year. The size and scale may differ, but they have one thing in common: a devastating impact; a potential risk to home, life, businesses and the environment; and a considerable loss to the public purse. In 2020, Forest Service staff attended 22 fire incidents. As a result of those incidents, 70 hectares of forest and over 110 hectares of peatland were burnt. So far in 2021, we unfortunately continue to see serious fire incidents. The Slieve Donard fire was one of a number of fires to cause devastating damage during the last fortnight. My Department has dealt with serious incidents in Moneyscald forest at Tollymore, Knock forest and Tully forest near Lisnaskea, County Fermanagh, and Grange Park forest near Limavady. It was also involved in a fire that threatened the Moneystaghan block of Portglenone forest.

As a result of the continuing high fire risk, Forest Service has increased the presence and visibility of its staff in vulnerable areas to over 30 on patrol yesterday, with a further five on standby and six duty and coordinating officers. I say clearly today that we are still at risk of wildfires. Dry, sunny, windy weather increases the risk of wildfires. Those weather conditions will continue until Wednesday and will then occur on and off over coming weeks. We must all act responsibly. Every one of us, therefore, has to take personal responsibility for our behaviour. We must play our part in protecting our environment and our communities. I will ensure that there continues to be strong messaging, via social media and other communication methods to highlight the risks and the actions that are required. Whether you are a farmer or someone out to enjoy time

in the countryside, do nothing to create a fire risk, and, if you do, contact the Fire and Rescue Service immediately so that it can be put out before it spreads out of control.

In dealing with the pandemic, we have worked collaboratively to deal with unprecedented economic and social challenges. The crisis has brought the interconnectedness of our economy, environment and people into sharp focus. It has shown how partnership working is not an option but a requirement. When we face a devastating wildfire on this scale, it reminds us just how much we value and need to protect our most precious natural assets. We have to join forces to do so.

We cannot afford to take our environment for granted.

**1.00 pm**

While I am glad today to be able to report that the fire is under control, it both angers and saddens me that it happened in the first place and could have been avoided. DAERA will continue to play its part in the response to the fire and in the recovery plan. I know that the Northern Ireland Executive and my Department will send out strong messages about personal responsibility for protecting our wonderful landscape and environment and will work with DAERA on all the future challenges that we face in doing so.

In closing, I once again commend the work of all those involved and the local community, which supported their efforts. We are indebted to them, as is our environment.

**Mr Irwin:** I thank the Minister for his statement. We all, I am sure, are concerned at the damage that was done in the Mourne Mountains. Minister, could appropriate firebreaks have played a greater role in reducing the amount of damage that was caused in the Mournes?

**Mr Poots:** At the request of Mr Frew, who is not in the Chamber, I visited North Antrim last year when there was a particularly bad fire in a place called Altarichard. I think that around 360 hectares was damaged there. Individuals there made it very clear that firebreaks would have made all the difference. They also discussed undergrazing and overgrazing. If the gorse is not grazed, it dries off, and, particularly over the wintertime, it dies. When you get to the springtime, before the fresh shoots come through, you are left with all this dry stuff. Over the last couple of weeks, we have had fairly dry and windy weather. That gorse is tinder dry. If it

is lit, the fire will go all over the place, and the only way to stop it is to have firebreaks. We have done that at Glenwherry hill, which the Department is responsible for a considerable part of, in conjunction with the local agriculture community. The result has been that there have not been significant gorse fires on that terrain, which is similar. It is much better to lose 2 metres of stripes as opposed to losing hundreds and hundreds of hectares of gorse land, especially given the damage that is caused to the heath underneath it, the peat, the wildlife and the biodiversity and all that. We can do that work in February and September in order to ensure that we protect the environment, not damage it.

**Ms Ennis:** I think that we will all agree that the sickening scenes of devastation that we witnessed in the Mournes over the last four days will live long in the memory, and I have no doubt that it will have an apocalyptic effect on our unique habitats in the Mournes.

Mr Principal Deputy Speaker, if you will allow me, on behalf of the people of South Down, I send heartfelt thanks and gratitude to the women and men of the Fire and Rescue Service, who were aided by the Irish Air Corps, for battling the fire courageously for the last four days. Their heroic effort will not be forgotten by the people of County Down.

Approximately £4.5 million has been spent by the Fire and Rescue Service on dealing with fires in the Mournes over the last number of years, and that pales in comparison with the money that has been given to local management groups such as the Mourne Heritage Trust. Does the Minister agree that that shows that we got our priorities wrong in that regard, and will he commit to prioritising a partnership approach between central government, councils, local agencies and landowners in order to ensure that necessary resources and action plans are put in place urgently so that we will not see the scenes that we witnessed over the last four days and there will be no more looking down the back of the sofa for pennies to protect our most precious habitats?

**Mr Poots:** If only everything in life was as simplistic as you paint it, things would be so easily resolved. Wildfires take place over areas of expansive territory, and, therefore, the management of those areas is critical. That is why I set up the group in March this year, having visited areas that were damaged previously. I note that previous Ministers did not do that. In any event, we have set that up so that we can work across agencies.

I was in the Mournes on Wednesday. It was stunningly beautiful. We looked at some £140,000 worth of funding that had been spent and added to by the National Trust to enhance the pathways in the Mournes. The pathways act as a firebreak and reduce erosion in the area, so it is money well spent.

When I was in the Mournes, I announced a further £2 million for similar schemes for environmental NGOs. I want to raise the plastic bag levy, and that amendment will come before the House. The levy money will go back to environmental NGOs, so we will see a substantial increase if the House supports me on that.

We recognise that funding is important. It is important to be well resourced. However, the biggest issue in the heathlands is management. Undergrazing and overgrazing are problems, so we need to manage that side of it well. We also need to look at the firebreaks. I mentioned Glenwherry. There has been a significant uplift in the numbers of ground-nesting birds in that area as a consequence of the actions that have been taken. Sometimes, folk suggest wilding as a way forward: it is not. Good management is the way forward, and, in some of those areas, the management is not as good as I would like to see.

**Mr McGrath:** I thank the Minister for his statement today and for his significant interest in the Mournes. I know that he was there this morning, as was I, and he was there over the weekend. There was considerable disruption, and people were very fearful and sad about what they saw. Whilst I echo the thanks to the Fire and Rescue Service, I also commend the community spirit that there was, especially efforts such as those by young Charlie Thomson, which raised thousands of pounds in a very quick time to help and support the Fire and Rescue Service in the work that it has done.

Following the remarks about the comprehensive management plan that is required, can the Minister provide any funding that might not be competitive, in the first instance, but might be available for inter-agency work that would help for things that he has mentioned, such as the firebreaks? I appreciate that groups have to fill out forms in a competitive process for available funding. However, if they could come together — if some funding allowed immediate works — it might help us to get through the summer without seeing a repeat.

**Mr Poots:** The Member makes an entirely reasonable request, and I thank him for his comments. We will work closely with the National Trust in particular, which has responsibility for a considerable part of the upper Mourne, to identify the scale of the damage, the consequence of that damage, the recovery plan for it and how best we can invest resource to ensure that the recovery happens as quickly as possible. That said, whatever human interventions we do now will take many years to manifest themselves, whereas the human intervention of lighting that fire took seconds to do the harm.

**Mr Butler:** First, I thank the Minister for going to assist the Fire and Rescue Service on Saturday with his shovel. However, you were not the first MLA to have a shovel on that mountain; that accolade went to me many years ago.

With Members across the House, I reiterate and reaffirm our thanks to people like Charlie Thomson. The shops, not just in Newcastle but across Northern Ireland, provided pizzas, water and all sorts of stuff. I know that the fire service personnel were very grateful for that. I know that the Minister will agree that the management and safety of the crews on that mountain are paramount. I want to mention a number of people, if you will indulge me. Mark Smyth, the wildfire lead, Alan O'Neill, the incident commander on the ground, and Aidan Jennings, the gold commander of the incident from HQ, deserve our thanks today.

Minister, thank you for the strategic wildfire group that you have set up. Do you agree that, in fire prevention, education is perhaps our most valuable tool? If you do, in that context, what resources and purpose will you give to the education of those who own land and have the responsibility for managing it in these instances?

**Mr Poots:** I thank the Member for a lot of valuable points. The community response that Mr McGrath mentioned was absolutely incredible. I know that a pizzeria in Belfast sent 40 pizzas up to the fire personnel. They had so much food sent to them that, had it not been for the fact that they were working so hard, they would have been rolling back down the mountain. It was a demonstration of the appreciation and goodwill towards not only the Fire and Rescue Service, which was leading on it, but lots of other services, which I mentioned at the outset of the statement. They were all working hard to ensure that this was brought under control.

The issue of education is a critical one. Again, I look forward to the recommendations coming from the multi-agency group, and I am sure that Minister Swann and I, and any other Minister who might be involved, will respond well to whatever recommendations are brought before us from that body.

**Mr Blair:** I thank the Minister for the statement. I also thank him for the detail in the statement, which was a stark reminder of the biodiversity lost in the fire in the Mourne and in other fires, including the one on Cave Hill, which is close to my constituency, about a week before the fire in the Mourne.

A number of days ago, I tabled a question to the Minister on what progress the Department has made on implementing a ban on peatbog fires. I totally accept that the Department is still within the time to answer that question, but, given the urgency of the matter, will the Minister consider implementing an urgent ban on barbecues etc on protected peatlands?

**Mr Poots:** We will certainly look at that. As the Member knows, one of the things that I have requested since coming into office is a peatlands strategy, and that will come forward in the very near future, hopefully. How we manage our peatlands is absolutely critical. We have the whole climate change issue, and Members know that I have climate change legislation that I wish to bring forward. I am waiting for the Executive's approval to do that. They know that we are doing this peatlands strategy. We want to ensure that we maximise our protection of peatlands, because they are critical to capturing carbon. If managed incorrectly, they are also big emitters of carbon, so we must ensure that we are utilising them correctly, capturing that carbon and ensuring that these wildfires do not take place. The Member raises a valid point about barbecues being one of the potential risks to peatlands.

**Mr M Bradley:** I join other Members in offering praise for the Fire and Rescue Service, the PSNI, DAERA, Forest Service and the Northern Ireland Environment Agency. They have all done a sterling job in trying to bring this wildfire under control, which they have successfully done. Does the Minister think that new technology could play a part in the early detection of wildfires across Northern Ireland, and will he identify the ways in which the new technology could be used by the Department to do this?

**Mr Poots:** We have various types of technology that can assist in this, but, ultimately, stopping



the fires happening in the first instance is the most important thing. Over recent years, DAERA has purchased equipment, which is held by Northern Ireland Fire and Rescue Service, for immediate use, including all-terrain vehicles. Some of these are fitted with wildfire suppression units, knapsack sprayers and drip torches. The NIEA is a member of the European wildfire network and can access advice and support during wildfire incidents from experts across Europe, and further afield if necessary. We will work very hard with others in doing this.

Forest Service has significantly stepped up its surveillance and patrol programme to help to reduce fire incident levels and for early detection purposes to initiate an effective response. As well as having trained staff, the Department holds specialist all-terrain vehicles and combined air and foam dispensing units. These are made available to support and extend the Fire and Rescue Service's firefighting capacity, particularly on hostile terrain like the Mourne. Considerable investment has been made, and modern technologies that we can utilise to identify smoke at an early point may also be of assistance to us. The only thing that I will say is that these fires, once they start, spread so rapidly. As I indicated earlier, it takes many years to recover the damage; it takes only seconds to cause it.

**1.15 pm**

**Mr McAleer:** Has the Minister had any early indications of the long-term biodiversity loss in the Mourne? We experienced the exact same episode last year in the Murrins in Tyrone. It was devastating; the biodiversity has not even nearly been fully restored since then. Does he have any assessment of the long-term impact on the richness of biodiversity in the Mourne?

**Mr Poots:** As I indicated in the statement, there are species that are particular to the Mourne. A full assessment has not been done, but all the indications are that it will take many years for some of those species to come back to where they would have been. Meadow pipits, for example, are ground-nesting birds that have been laying and hatching eggs. Sadly, it is probable that hundreds of fledgling birds and eggs have been destroyed as a consequence of the fire; there was no means of escaping it. That is appalling. We would love to see more red grouse up on those hills than is currently the case. There are some pairs. We need to look at other areas where good management has encouraged red grouse back. The species

damage is extensive. The gorse will grow again; it will probably recover more quickly. The other element is that there is absolutely no doubt that it released substantial amounts of carbon. It will not be as good at sequestering carbon going forward; it will take many years of rainfall for that peat to get back to a reasonable condition.

**Mr Harvey:** I thank the Minister for his duty of care to the firefighters and to the landowners whose property was decimated by the mountain fire incident. Our grateful thanks goes out to all the fire crews who attended the fire over the past weekend.

Minister, given the dry springs that we have had in recent years, what steps are you taking to reduce the potential impact that climate change is having on such wildfires?

**Mr Poots:** We in Northern Ireland want to play our part in the climate change challenge. That is why I indicated some time ago that I was bringing forward legislation, which is now sitting with the Executive. I hope to present it in the House in the very near future. It will ensure that Northern Ireland plays its part fully in achieving its contribution to net zero for the United Kingdom by 2050. It will also ensure that we do not decimate the largest section of the economy: the agri-food sector. I hope that the Executive will have the opportunity to progress that legislation and allow me to come to the House with the energy and purpose that is required; we really need to drive those things forward. We need to move swiftly, so I do not want any delay in the Executive when bringing it forward.

**Mr McGuigan:** I thank the Minister for the detail in his statement. I also commend the work of the men and women of the fire service in the difficult and dangerous task in which they were involved over the weekend. In addition to that, I reflect on the heartbreaking loss of biodiversity and natural habitat in the Mourne that we have witnessed. I represent North Antrim, which, as the Minister stated, has been the scene of a number of wildfires in recent years; I think of Craigs Road outside Rasharkin, Slieveanorra in April last year, and, as the Minister mentioned in his statement, Moneystaghan block near Portglenone forest very recently. Minister, over and above the work of the management plans that you detailed in your statement, will you give an assessment of whether the current legislation is robust enough to thwart wildfires?

**Mr Poots:** I have asked officials to look at the legislation to identify whether enough is being

done. My suspicion is that not enough is being done in terms of dissuasion. One of the problems that we have is that those places are remote by nature, with not a lot of people around, so catching someone doing it, either purposely or recklessly, is extremely difficult, as is reaching the bar for prosecution, and therein lies the difficulty. We can have tough-looking legislation, but, if we cannot catch the individuals doing it, that is a different matter. We perhaps need to speak to the judiciary about the evidence base for such a circumstance to ensure that we can demonstrate to the public that there is punishment for such activity.

As I indicated, it is not a victimless crime. Ultimately, dozens and dozens of men and women were up those mountains putting their life at risk to put out the fires. This is the ultimate wrong: lives being put at risk as a consequence of such behaviour.

**Mr O'Toole:** I echo the words of the Minister and others in congratulating and thanking all the emergency services, from the Northern Ireland Fire and Rescue Service all the way down and through, for their amazing courage and work over the past few days, and all the agencies, local businesses and individuals who supported and helped in that effort. People are devastated to see the scenes of biodiversity being lost and of destruction in the Mourne. As someone who comes from the area, I found it particularly difficult to watch, as, I am sure, did lots of people.

The Minister mentioned the strategic wildfire group and said that he will look at the legislation, which I welcome. Can he give a timescale for doing that? Legislation will not happen overnight, so, before then, will he look at providing better information? Can he and his Department commit a budget to that ahead of this summer? Can signs be put up or some kind of communication provided to make it absolutely clear so that no one, be it a landowner or a recreational user, is in any doubt that starting any kind of fire, either deliberately or inadvertently, is unacceptable?

**Mr Poots:** It is not that steps have not been taken. Many steps have been taken, and the public should know better. There are those on the farming side who deliberately burn off gorse to allow for fresh growth to come through. That does not take place at this time of year. If they are doing that, they are breaking the law and should be prosecuted. I make it very clear: any farmer who engages in that at this time of year is breaking the law and should be prosecuted.

As for the general public, I have to say that most people who go up the mountains or go walking in those areas have a love for the environment, appreciate it and are responsible. Others sometimes take a notion to do those things. They go up in their flip-flops. They perhaps drop cigarette butts that are not extinguished. They might have a wee campfire or a barbecue and do not extinguish it properly. Those are the people who really need to recognise the harm that they can do as a result of their day trip to a wild and remote region. We need everyone to pull together and recognise the harm that is done.

The only good thing that has come out of this is the fact that the public are now much more aware that those fires take place. I mentioned that there have been four fires of significance in the past two weeks. We drove five minutes just over the hill from where I was on Saturday to an area just above Tollymore, where 6 hectares of young forest had been damaged. We are trying to get more trees planted, yet, because of someone's irresponsibility, another forest has been destroyed and set back.

We need really good cooperation from all sides, and we need to be very firm to ensure that the law is strong. We also need to find a means of enforcing it, however, so that, rather than just having something on paper, it can be demonstrated to the public that the law is working and that people are being prosecuted for such activities.

**Mrs Barton:** Minister, thank you very much for your statement. Like others, I reiterate my thanks to the Northern Ireland Fire and Rescue Service and all the other emergency services that helped put out the fire. I also thank you and Mr Swann for being available at the weekend to help out and support the people on the ground.

Minister, while travelling from Fermanagh to here, I listened to commentary on the radio about the fire. Reference was made that a number of Fire and Rescue Service personnel had quite a distance to walk to get to the source of the fire. Have you given any thought to perhaps providing vehicles that could be more adaptable than a fire engine to move personnel much more quickly to the source of the fire?

**Mr Poots:** Fires in places such as these mountains are very difficult. Last year, we spent £180,000 on all-terrain vehicles, which were used at the weekend to ferry Fire and Rescue Service personnel to the locations. The Northern Ireland Fire and Rescue Service has ultimate responsibility; it does not lie with my

Department. However, one of the things that we could have done with last Saturday was a helicopter to do water drops on the Kilkeel side of the mountain. We had anticipated getting helicopter support from Ireland and from GB, but unfortunately, those became unavailable. The fact that there is a road leading up to a quarry enabled water to get so far, but fire personnel ended up having to beat the fire out with shovels. That is how crudely it was done. Hundreds of acres of land were on fire, and they were beating it out with shovels. When you get it out, it can flare up again, so you can see the work that was involved.

It was a warm day, there was the heat of the fire, and the fact that personnel had to wear their uniforms and personal protective equipment. That led to an immense amount of work being carried out by those individuals. Therefore, we cannot speak highly enough of their efforts. We need to ensure that they have as much equipment as possible to enable them to do their work as safely as possible. They were very challenging circumstances, but a lot of people rose to them. We talk about heroes in the context of COVID; these people were heroes working up the mountains.

**Mr Robinson:** Considering some of the recent wildfires, including the one outside Limavady in my constituency, has there been an estimated cost to put them out? Maybe it is too early for that yet. I commend all the firefighters and other agencies for their diligence in eradicating the fires at the weekend.

**Mr Poots:** Earlier in the year, the Fire Service indicated that, over the past 10 years, about £4.5 million has been spent on gorse fires. Therefore, we really need to ensure that we minimise the amount of public money expended on them. More importantly, we need to minimise the damage done to the environment and reduce the risk to individuals who could get caught in these fires and, indeed, the risk to the personnel putting them out.

**Mr Principal Deputy Speaker:** I call Mr Maoliosa McHugh.

**Mr McHugh:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Thank you, deputy Prime Minister. *[Laughter.]*

**Mr Principal Deputy Speaker:** I have been promoted.

**Mr McHugh:** Good man.

**Mr Principal Deputy Speaker:** Not yet.

**Mr McHugh:** You have an elevated role. *[Laughter.]* Minister, where I live in the Derg valley, each and every year, I see gorse fires. Some are extensive, some are controlled and some are otherwise. Can you expand on the work that the strategic wildfire group does?

**Mr Poots:** I will bring you back down to earth, Mr Principal Deputy Speaker.

The group identifies the risks and identifies the mitigations that it can carry out to reduce those risks. It looks at how it can respond to fires and how teams can work as multi-agency teams in their response. There is a whole series of things. Mr Butler mentioned education, and that will be a key part of it.

### 1.30 pm

In all that we do, whether it is through the NIEA, Forest Service, PSNI, Fire and Rescue Service or local groups or local authorities, we must do it together and ensure that we respond in the best way possible. The issue is not going to go away, and we are not going to eliminate it, but we can certainly mitigate it and, in particular, the damage that it does.

**Ms Kimmins:** I thank the Minister for his statement. I, too, send my gratitude to all those who helped over the weekend. Coming from a neighbouring constituency, I am a regular visitor to the Mourne. I cherish the beauty of the area and what it provides for us.

Brexit will starve Northern agencies of vital conservation management funding. We need an all-island approach to address the issue. As we have seen over the weekend, the same pressures, caused by human behaviour, have affected the kingdom of Kerry, in Killarney National Park, and the land in the kingdom of Mourne. The prescribed period for burning in the South ends on 1 March, whereas in the North, it ends on 14 April. That is far too late. We need an urgent reassessment of the applicability of brush burning, and we should invest in moving farmers and landowners away from such practices. Will the Minister, therefore, engage with his counterparts in the South and look at how we can come together to address the issue?

**Mr Poots:** We probably need to put our own house in order in the first instance. Where there are cross-border fires, which do happen occasionally, the level of cooperation is fantastic. That is not an issue. Where there are resources, either in the Republic of Ireland, for a fire in Northern Ireland, or, for a fire in the

Republic of Ireland, in Northern Ireland, they are already available. There is already good, close cooperation. I will always encourage that because it is absolute common sense. It is not a political thing; it is a practical thing. I have every intention of helping neighbours and, indeed, of calling on neighbours when I need help in circumstances like those.

**Ms Bailey:** I am from a family of firefighters, and I have the utmost respect for the work and dedication of the Northern Ireland Fire and Rescue Service and, indeed, of all our emergency services, particularly when they face such personal risk. I, too, take the opportunity to thank each and every one of them for their efforts over the weekend.

In the past week alone, we have seen serious fires on Cave Hill, there have been oil spills, or dumping incidents, in Donaghadee, and there has been devastation in the Mourne Mountains. Our environmental record in Northern Ireland should shame us all. The Minister tells us that there were 22 forest fire incidents in 2020 and that, this year, we continue to face many threats. How many of those incidents led to enforcement cases? While strong words and signage are good steps, what real environmental and climate education strategy is being planned?

**Mr Poots:** As I indicated, whilst I support a strong legislative base, and I am happy to amend legislation to make it tougher, you can only enforce something where a case is presented. The difficulty, about which we need to be realistic, is that many individuals who engage in that activity do it away from the gaze of any other individual. It is tricky, in the first instance, to identify the individuals who engage in establishing the fires. However, it is worth our while to have a conversation with other bodies that are involved in enforcement to identify, for example, what level of evidence the courts require to prosecute someone successfully. I will not hold back, whatsoever, any prosecution that NIEA, Forest Service or any other agency brings forward. I encourage them to do that, and it is something that needs to happen on a much more frequent basis. I would like to see people punished for this awful crime, because it is an awful crime that has been committed against other human beings and against the environment.

**Mr Carroll:** I thank the Minister for his statement. I thank everybody for their work over the last few days in tackling this fire, particularly the Fire and Rescue Service for its critical work. It is, of course, gutting to see such devastation

to an area of diverse flora and fauna. I have spoken to Fire and Rescue Service people and I know how overworked, under-resourced and overstretched they are. Given the events of the last weekend, the high number of fires that took place last year, the possibility of more fires, climate breakdown and uncertain weather patterns, how confident is the Minister that our excellent fire service is adequately resourced and financed to deal with these challenges?

**Mr Poots:** That is a good question, but one that you need to put to the Health Minister, as he has responsibility for the Fire and Rescue Service. Previously in my career, I had that task, and I know that the Fire and Rescue Service, like everyone else, has its funding challenges. However, it has an excellent team of people on the ground who do magnificent work, not just in this type of situation but in many others, such as road traffic incidents and others where the Ambulance Service needs helps to rescue people. The range of work covered by the Fire and Rescue Service, and its skill and innovation in dealing with those problems, is probably not as well recognised as it should be. I, for one, greatly appreciate the work that it carries out for us.

**Ms Bradshaw:** Thank you, Minister, for your statement. I was grateful that you outlined the wide range of organisations and individuals involved in this incident. It is truly wonderful to see so many people put their lives on the line.

You mentioned the issue of emission of carbon as a result of the fires. I sit on the all-party group on lung health. This might be a naive question, but is there anything that your Department can do, alongside other agencies or Departments, to mitigate the impact on local residents from those emissions?

**Mr Poots:** Getting the fire out as quickly as possible is probably all you can do. There is a release of particle emissions. A very fine particulate comes from the material being burnt. It gets ingested into people's lungs and, because it is such fine material, it is very difficult to get rid of. These fires are a health hazard for people; let us be absolutely clear about that. It is another reason why they should not happen.

**Mr Principal Deputy Speaker:** Thank you, Members. That concludes questions on the Minister's statement.

## Executive Committee Business

### Horse Racing (Amendment) Bill: Second Stage

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** I beg to move

*That the Second Stage of the Horse Racing (Amendment) Bill [NIA Bill 20/17-22] be agreed.*

**Mr Principal Deputy Speaker:** The Business Committee has not allocated any time limits to this debate, but first I ask Members to allow a few seconds for a change at the top Table.

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

**Mr Poots:** I have been looking at introducing the Horse Racing (Amendment) Bill for some time now. Over the last number of years, the two main horse racing tracks, Down Royal and Downpatrick racecourses, have received a levy from the turf accountants at those courses. Consequently, over time, that has been impacted as a result of the sale of Down Royal racecourse. The previous legislation specifically named the two racecourses as opposed to ensuring that, if there was ever a change of ownership of them, that change would be covered. Consequently, we have not been able to provide funding or to ensure that the levy has been disbursed to the racecourses.

One can imagine the issues with that in that it costs considerable amounts of money to maintain and run a racecourse each year. The funding that was available through the levy on the bookmakers helped to enable the continuation of the racecourses. As a result of losing the levy, the racecourses have been put under significant financial pressure. Whilst it may not be altogether popular with the bookmakers that they have to provide that funding, nonetheless, it is an important part of the horse racing industry, because the racecourses can be maintained, safely and appropriately, in a safe condition for the welfare of the animals and for the safety of the staff and the public who are on-site.

The legislation is about ensuring that we are capable of continuing to provide support to the racecourses. It is a relatively short and simple piece of legislation, and I appeal to the House to support it.

**Mr McAleer (The Chairperson of the Committee for Agriculture, Environment and Rural Affairs):** I welcome the opportunity, as Chairperson of the Committee for Agriculture, Environment and Rural Affairs, to outline the Committee's views on the Horse Racing (Amendment) Bill. The Committee received an oral briefing on the Bill on Thursday 22 April. As the Minister said, the Bill is intended to amend the Horse Racing (NI) Order 1990 regarding the named beneficiaries of the horse racing fund. As we can see, the Bill is very focused, short and concise, and the aim is to get it completed before the end of the mandate. It will enable payments of the fund to resume at the racecourses at Downpatrick and Down Royal.

In providing evidence to the Committee, the Minister's officials outlined some of the history of the fund. It was developed in order to address declining gate receipts at the racecourses following the introduction of legislation that meant that people who wished to place a bet on a horse race no longer needed to attend the racecourse. As some of the bookmakers' income is obtained directly from betting on horse racing, there is an obvious and clear link between the two. It seems only fair that bookmakers should pay a levy to the racecourses from the profits that they make from their activities there.

The horse racing fund was established here in 1976 and is currently administered by the Department of Agriculture, Environment and Rural Affairs (DAERA) in line with the Horse Racing (NI) Order 1990, which requires that bookmakers make an annual contribution to the fund of an amount that is determined from time to time by the Department. The amount is also set after consultation with the bookmakers.

As it stands today, the levy is £99 for on-course bookmakers and £1,123 for off-course bookmakers. That rate was set by the Horse Racing (Charges on Bookmakers) Order (NI) 2010. The levy was to be uplifted in 2017, but that did not happen because of the absence of the Assembly. The rates, therefore, remain as I stated. Officials noted that it is not the Minister's intention to consider an increase in the levy at this point.

The Committee was told that a targeted consultation took place in May and June 2020 on the proposal to add the new operator of Down Royal to the 1990 Order.

Furthermore, as the legislation for the horse racing fund is now quite dated and is in need of review, the Department intends to undertake a wider, long-term, more comprehensive review

of both the Order and the fund. Therefore, during the consultation, respondents were asked to comment on those longer-term review issues as well.

### 1.45 pm

Members had received a written briefing on the consultation and were aware of the respondents' names and the main issues raised. The Committee heard that, because of the change of management at the end of 2018, the new operator at Down Royal had not been eligible for support under the 1990 Order, as it is not specifically named in the legislation. Payments to the previous operator of the Down Royal racecourse ceased from 1 January 2019.

Payments to Downpatrick racecourse also ceased while DAERA sought a decision from the EU Commission on the application of EU state aid rules. It became clear that an EU state aid application would be unlikely to succeed. However, following the end of the transition period on 1 January 2021, EU state aid rules no longer apply and any payments must instead comply with the UK subsidy control requirements, and that seems to be less problematic.

The Committee heard that £680,000 was sitting in the fund and no payments have been made since 2018. Members asked questions about how racecourses apply to the fund and the criteria for those payments. Officials told us that the purposes for which payments can be made are laid down in the legislation and include items such as prize funds and technical and other services. The two named beneficiaries apply by presenting a business plan that lays out how they will use the fund, and the business plan is assessed by DAERA staff. The use of the funding allocated to the racecourses is also audited.

The Committee also considered the situation in other jurisdictions. It was noted that both Britain and the South of Ireland have recently reviewed their arrangements. In Britain, the fund is administered by a non-departmental public body (NDPB) and includes income derived from online gambling, and the levy is set at 10% of profits. Meanwhile, the fund in the South of Ireland covers greyhound racing and 24 horse racing courses, and the levy is provided by way of the excise department.

The Committee questioned officials on the issue of a levy for online gambling and the possibility of widening the fund to greyhound racing and other local racecourses that may open in the future. We heard from officials that

gambling and the licensing of bookmakers rests with the Department for Communities and that DAERA officials are working closely with their Communities counterparts on that aspect. We understand that Communities will undertake a wider review of gambling legislation at some stage in the future and that that will consider that aspect.

Some of the wider issues to be considered in the forthcoming DAERA review have already been mentioned, such as the inclusion of online gambling. Another issue is whether the Bill should have been widened to include greyhound racing. When questioned on that aspect, officials referred to the origins of the fund. Members will recall that I said earlier that the fund was developed to address declining gate receipts at racecourses, following the introduction of legislation that meant that people wishing to place a bet on a horse race no longer needed to attend the racecourse. To remain true to that fundamental principle, an assessment would be needed on whether gambling on greyhound racing was on-course, off-course or a combination of both.

Another issue raised by members was the potential to widen the fund, if required, to other racecourses that may be established here. Officials noted that they were aware of some discussions by third parties on the potential for a further racecourse at Giant's Park but that is only discussion and there are no firm proposals.

In summary, the AERA Committee noted the narrow scope of the Bill and discussed with DAERA officials other matters that may be presented at Committee Stage as areas for possible amendment. Overall, the Committee expressed no concern at the narrow scope of the Bill and looks forward to working closely with the Minister and his officials at Committee Stage.

**Mr Irwin:** The issue before the House is one of which many members of the public may never had had any knowledge. It is legislation required to put right an issue that has arisen on the funding of Northern Ireland's racecourses and the blockage to assistance that has prevailed since late 2018.

The legislative angle is that there is a need to change the existing Order to allow payments to be made from the horse racing fund to racecourses in Northern Ireland. I understand that the consultation and the normal practices have been carried out and that the responses received have been taken on board in the formulation of the amendment. I note that the

consultation responses were largely supportive of the change.

The fund is made up of a levy collected from licensed bookmakers in Northern Ireland, and that finance provides support for horse racing at Northern Ireland's two racecourses at Downpatrick and Down Royal. The Horse Racing (Northern Ireland) Order 1990 is the legal basis for the horse racing fund in Northern Ireland. The change of operator at Down Royal meant that it was ineligible for support from the fund. That issue will prevail until the current work to adjust the legislation to allow payments to recommence has run its full legislative course. COVID-19 has been another limiting factor for the two racecourses, as has been the case with much of sport over the last number of months. With support being withheld for the reasons outlined, it will be all the more required moving forward.

Discussions have taken place on widening support to include other venues, such as greyhound racetracks and other venues not involved in horse racing. I urge that any further discussion on those points take a firm view on the wider societal impact of off-course and online gambling. Those issues should not be treated in isolation. In recent times, we have heard of the societal impacts of gambling and the negative impacts that it has. Currently, there is discussion on our laws on the matter and on the prolific nature of online betting. I welcome any steps to consider the matters effectively, including the impacts on society of online betting, which has seen a particular increase over lockdown. Cross-departmental cooperation will continue to be important in considering those issues further, ensuring that politics and decisions on competitive sport in this regard are fair, reasonable and balanced against a number of important factors. That said, this legislation is required, and neither venue should be disadvantaged further by its legal, albeit temporary, blockage. I support the Bill.

**Mr McGlone:** I thank the Minister for moving the Bill's Second Stage. The SDLP has no fundamental objection to the Bill because there is little in it to object to. However, a number of issues definitely merit consultation. I would appreciate further deliberations with the Minister — perhaps he will disclose later what those are — to bring us into line with the Republic and the UK.

Since 2019, no financial support has been paid out from the horse racing fund, because the original legislation did not take into account the possibility of a change in ownership of one of the two racecourses that the fund was designed

to support. Given that the levy involved continues to be raised from licensed bookmakers as a condition of the licence, it seems perverse to prevent the owners of those racecourses from applying for that financial support.

I believe that the fund currently sits at around £600,000, with about £350,000 raised annually, and the Bill could be described as a simple piece of legislative bookkeeping by the Minister and the Department. That said, as we move into more contemporary times, a number of questions could be asked of the Department's approach: for example, is the legislation fit for purpose? In many ways, it is long out of date compared with the rest of the legislation on gambling in the North. For example, there should be a levy on online bookmakers, as a considerable amount of betting is now done online as opposed to in bricks-and-mortar bookmakers.

The fund was set up by legislation in the 1970s and amended in 1990. The vast majority of the fund is, as I said, raised from licensed off-course bookmakers, but the licence issued by the Department for Communities does not cover online betting. The two racecourses involved now have a more varied source of income than in 1990. If the fund is still necessary, should similar venues be able to apply for that support? Should it be extended to cover dog racing, for example? I would make the case that it should. Drumbo and Brandywell compete with Dundalk and other racecourses in the Republic that are substantially underpinned and supported by the state. They get significant drawdown to continue with their activities. Should a non-departmental public body be established for the purpose of oversight, as is the case in the rest of Ireland and GB? Stakeholders raised many of those questions during the limited consultation that the Department carried out in May and June last year. Those are issues and cases regarding the collection of moneys and funds and their distribution in a more equitable way to other courses, especially greyhound courses.

It is understandable that the Minister seeks a remedy as quickly as possible to the position in which the two current racecourses — horse racing courses, obviously — find themselves due to a flaw in the original legislation. However, we would like a firm commitment from him to a comprehensive review of the operation of the horse racing fund, its extension to greyhound racing and the provision of support to horse racing and similar activities for which he is responsible. That would enable the Minister to address some of the many issues

raised by stakeholders and others in the sector during his Department's consultation on this short and limited Bill.

**Mr Deputy Speaker (Mr Beggs):** Members, Question Time is due to commence at 2.00 pm. I suggest, therefore, that the House takes its ease until then. This debate will continue after Question Time, when the next Member scheduled to speak is Rosemary Barton.

*The debate stood suspended.*

**2.00 pm**

*(Mr Deputy Speaker [Mr McGlone] in the Chair)*

## Oral Answers to Questions

### Health

#### Paediatric Ankle Foot Orthoses

1. **Dr Archibald** asked the Minister of Health for his assessment of the quality of paediatric ankle foot orthoses provided by health and social care trusts. (AQO 1919/17-22)

**Mr Swann (The Minister of Health):** I thank the Member for her question. The clinical service that provides paediatric ankle foot orthoses (AFOs) is provided mainly by orthotists through contracted services to the health and social care trusts. There are two service providers in Northern Ireland, one of which manufactures AFOs in Northern Ireland. The production lead times for AFOs are about three weeks from assessment to delivery to the trusts, with urgent orders being able to be completed within a week for inpatients or patients who are post-operative.

Service levels for orthotic services vary across trusts. In some trusts, children with SEN are able to access the service via a consultant, GP or allied health professional (AHP) referral, while, in others, the referral sources are more limited. Some of the paediatric caseload is seen in a special school clinic by orthotists. School clinics are weekly, fortnightly or monthly, depending on the school. Most children who attend those schools should be cast and supplied with their AFO within a month. Only pupils who attend those schools are able to be seen in those clinics. All other paediatric cases are seen in general clinics across a variety of hospitals.

Typically, waiting times can vary from trust to trust and depend on how the services are delivered. At clinics, the availability of appointments determines delivery of, speed of and access to services. Paediatric patients are usually prioritised over routine patients who are seen at the clinics, but, in the main, they will be seen in a general clinic, where adults are also seen. The typical waiting time between paediatric appointments is between six and 12 weeks.

I fully recognise that there is a constant need to review service delivery models, including paediatric orthotics, as children's needs for



replacement devices are often more demanding, because of children's growth and general wear and tear. As part of the AHP workforce review programme, an orthotics workforce review was taken forward. It identified a number of issues, including variations in service delivery and access to services. As a result, the Chief Allied Health Professions Officer has asked for one of her trust paediatric heads of service to take forward a review of orthotic services across Northern Ireland. The intention is to have that review completed by October 2021.

**Dr Archibald:** I thank the Minister for that comprehensive answer. I have been contacted by constituents who have children who require orthoses, and I have written to the Minister on a couple of occasions about one child in particular. Those constituents have found that the orthoses provided cause pain and injury to the children's little feet and have been forced to source alternatives, privately, which is expensive. As the Minister mentioned, children's feet grow. Will the Department commit to evaluating the quality of the paediatric orthoses provided to ensure that they are fit for purpose?

**Mr Swann:** I thank the Member for her question. I know that she has written to me on that point. She asked about the quality of the orthosis provided. The device can be custom-made for the child from an impression that is taken of the child's leg and foot, or, if suitable, an off-the-shelf, prefabricated AFO can be utilised. The regulations provide more stringent requirements on the manufacture of any medical device, including orthotic devices that are manufactured by orthotic services. The guidance and standards for best practice are those from the British Association of Prosthetists and Orthotists guidelines for the provision of orthotic services. The guidance sets out the quality of the fabrication of devices, and those standards will apply to all patients. As I said in my response to the Member, our Chief Allied Health Professions Officer will undertake a review. It is due to be completed by October 2021. I will ask her to include the Member's query in her review.

**Ms Bradshaw:** I recently had a meeting with a consultant orthotist, who echoed the Member's comments on the issue. On a broader point, one of the consultant's concerns was that health trust managers are not allocating enough theatre time for procedures on children's feet and legs. How does having insufficient theatre capacity fit into the regional prioritisation

programme, considering that the earlier the intervention to correct the issue, the better?

**Mr Swann:** The Member will be aware that the trusts have published their rebuilding plans for the next three months, and we are looking at the rescheduling and utilisation of our theatre capacity at a regional level rather than solely at trust level. It is about how we rebuild core services across the entire spectrum, including some of the invaluable preventative operations that can take place. However, first of all, we are tackling red-flag cases and making immediate urgent responses while we rebuild our service back to where it should be and where it can be.

**Mr Allister:** How has the supply line of medical devices, products and medicines been impacted by the protocol? Where do we source most of our supplies? How is the protocol impacting on that? How does the Minister anticipate how that will work at the end of the grace period? What awaits us on 1 January 2022 when we come fully under restrictive EU laws?

**Mr Swann:** I thank the Member for that point. It is topical, and it was raised at the Health Committee last week. We currently receive 98% of our medicines and medical devices directly through GB, so the protocol will have an implication. It is not currently having an implication because we have a derogation until the end of this year. However, the triggering of article 16 towards the end of last year, around vaccines, has unnerved suppliers. There is work in progress between my Department, the Department of Health and Social Care (DHSC) and the Medicines and Healthcare products Regulatory Agency (MHRA) who are also involved. That incident had an unsettling effect. Consistent suppliers are now asking more questions and are concerned about the implications of the protocol. That is why we engaged with those companies to give the reassurance that our Department and the Department of Health and Social Care are doing all that we can within our remit and our power to ensure that those supply lines are as seamless as possible.

In addition, the Northern Ireland Office holds a not insignificant financial pot to facilitate and support that, and we have engaged with it on how we can utilise that best to make sure that there is no disruption to the supply of medicines or medical devices in Northern Ireland due to the protocol and its outworkings.

**Lisburn Primary and Community Care Centre**

2. **Mr Butler** asked the Minister of Health for an update on the development of the Lisburn Primary and Community Care Centre. (AQO 1920/17-22)

**Mr Swann:** I thank the Member for his question. Lisburn Primary and Community Care Centre at Lagan Valley Hospital will provide fit-for-purpose accommodation for seven GP practices, selected acute outpatient services and a large number of trust services, many of which will be relocated from Lisburn Health Centre, Warren Children's Centre and other leased premises, namely TSL House. The new development will help to enable greater management of chronic conditions in the community and will be closer to patients' homes through the collocation and integration of GP practices alongside multidisciplinary teams (MDTs) in a functionally suitable building.

Construction of a new primary and community care centre is progressing well and is scheduled for completion in June 2021. Following a period of commissioning, it is anticipated that the building will open to patients in late autumn or winter this year.

**Mr Butler:** I thank the Minister for his answer. He mentioned the role for multidisciplinary teams. Does he agree with me that their inclusion, particularly with regard to mental health, in settings such as Lisburn Primary and Community Care Centre, will result in a more holistic approach and better well-being for our community?

**Mr Swann:** I know that the Member has an interest in this issue, especially in regard to mental health support and provision. The primary care multidisciplinary team model introduces new physiotherapy, social work and mental health roles into GP practices to work alongside enhanced levels of nursing staff and the existing practice team. It aims to move from a system of treating illness to holistically supporting good physical and mental health and social well-being.

In the South Eastern Trust, MDTs have been fully implemented in the Down GP federation, accompanied by a small introduction jointly in Ards and north Down. While a formal evaluation of the MDT programme is under way, it is clear that the model is already impacting positively on some of the core services in the South Eastern Trust, such as physiotherapy and mental health.

My Department and the Health and Social Care Board are engaged in a process to develop a

road map for the implementation of MDTs across all the remaining GP federations, including Lisburn. That involves engaging with those in general practice and the health and social care trusts to agree realistic and achievable proposals, which will then be aligned with overall strategic priorities and the current or emerging pressures.

Development of the road map is expected to be completed before the summer. It will enable robust planning on the cost and timescale of the roll-out of the model for the remainder of Northern Ireland. Further roll-out of the model is, however, dependent on the availability of a suitably qualified and experienced workforce, readiness of accommodation, and the appropriate funding. However, MDTs are not the only initiative in place to support those working in primary care.

**Ms Kimmins:** I thank the Minister for his answer. It is good to hear about the progress in Lisburn. As a former employee at Lisburn health centre, I know that a lot of my former colleagues will be delighted to hear that it is progressing as it is.

Minister, will you provide an update on the Newry Community Treatment and Care Centre, and what funding has been set aside for new primary care hubs?

**Mr Swann:** I thank the Member for her support. I am sure that her former colleagues, too, will be pleased that we are making positive progress in that area.

The Newry Community Treatment and Care Centre project involves the provision of a new 12,600 square metre primary care facility to provide fit-for-purpose accommodation for general medical services (GMS), selected acute outpatient and diagnostic services and a large number of multidisciplinary teams, many of which will be relocated from outlying sites and leased premises.

The Newry project was initiated under ministerial direction in March 2013. It experienced delay, primarily as a result of protracted negotiations over planning permission between the contractor and Newry, Mourne and Down District Council. Planning permission was approved on 1 July 2020. Departmental officials are considering whether the project should now move to full business case stage. I will update the Member when that is received.

## **GPs: Multidisciplinary Team Support**

3. **Mr O'Dowd** asked the Minister of Health for an update on the roll-out of multidisciplinary teams to support GPs. (AQO 1921/17-22)

**Mr Swann:** I thank the Member for his question. The primary care multidisciplinary team (MDT) model introduces new physiotherapy, social work and mental health roles into GP practices to work alongside an enhanced level of nursing staff and the existing practice team. It aims to move from a system of treating illness to holistically supporting good physical and mental health and social well-being.

Like many transformation projects, the expansion of the programme has been affected by the COVID-19 pandemic. However, the MDT model is in development in five areas across Northern Ireland: Londonderry, west Belfast, Causeway, Newry and district, and north Down and Ards. It is fully implemented in the Down GP federation.

Across all the areas, the programme supports 300 members of staff. My Department and the Health and Social Care Board are engaged in a process to develop the road map, as I indicated. That involves engaging with all those in general practice and the trusts to agree realistic and achievable proposals, which will then be aligned with the overall strategic priorities or current and emerging pressures.

That road map, as I said, is due to be completed before the summer, and will enable robust planning on the cost and timescale for the roll-out. However, further roll-out of the model is dependent on the availability of a suitably qualified and experienced workforce, readiness of accommodation and appropriate funding.

**Mr O'Dowd:** I thank the Minister for his answer. Does he agree that if we are to turn around the oil tanker that is the health service, we have to concentrate on primary as much as acute care, and perhaps more on primary? I understand that only five of the 17 multidisciplinary teams have been established. If we were to establish them, surely that would take significant pressure off GPs and acute services.

The Minister may be interested to know that, recently on social media in my area, patients were asking one another how often they had to phone their GPs to get through. The dubious winner was hitting redial 400 times to get through. Many of those patients will be seeing their GP simply to be directed to another service. It would appear to me that MDTs would be the answer to much of that problem.

**Mr Swann:** I fully agree with the Member about the benefit that MDTs will bring because it is about that multidisciplinary team aspect. When they were initiated, or even first talked about here, there was much reluctance about somebody going to a GP thinking that they had to see the GP, but they saw the benefits when they could see a physiotherapist, a nurse practitioner or even a pharmacist face to face rather than having to wait to engage with a GP.

Our GP colleagues see the benefits as well. Experience to date has shown that many of those working in MDTs were recruited from existing roles within health and social care trusts. Recruitment to our MDT roles must be progressed through a measured approach so that we are not robbing Peter to pay Paul and shifting the same staff around the service.

**2.15 pm**

The Member made the analogy of the health service being an oil tanker that needs turned around. We need to start turning it around very fast. The health service has been able to reposition itself pretty quickly over the past 14 months, but we need to make sure that the support is there to turn it around, get it parked and get it to a place where it supports the entirety of Northern Ireland, including through investment in primary care, in secondary care and across the workforce of the health and social care family.

**Mrs Cameron:** Minister, we realise that the roll-out of the multidisciplinary teams is vital. As Mr O'Dowd has just said, it is very important to note that the pressure that GPs are under is much greater. That is primarily due to the switching off of healthcare appointments during the pandemic. Many of these calls and queries are from patients who have not been dealt with in secondary care. Given the disparity in access to GPs across Northern Ireland, what work is being done to ensure that GP access does not continue to be a barrier to early diagnosis of life-threatening conditions? Basically, Minister, what I am asking you is when we will see face-to-face GP appointments being made readily available to the public.

**Mr Swann:** I thank the Deputy Chair of the Committee for her points. I do not agree with the use of the term "switching off". We had to take drastic steps during serious waves of the COVID pandemic that put serious pressure on the entirety of our health workforce.

I want to be clear that our general practices are open. They have been open throughout the pandemic. I pay tribute to GPs' hard work, commitment and innovation as they continue to provide a critical service for us all. GPs have continued to see patients. Indeed, the number of consultations is now close to pre-pandemic levels. The most recent figures, for the week ending 16 April, show 83 consultations per thousand, compared with 87 consultations per thousand in November 2019. Despite the need for social distancing and infection control, GPs have been able to maintain face-to-face consultations at a level. Of those recent consultations, 37% were face to face, compared with 50% in November 2019.

As has been clear from the outset of the pandemic, our GPs are working tirelessly for the good of everyone in the community. They have not only delivered a range of additional services, including COVID centres and vaccinations, but have remained focused on continuing to deliver core, vital services. We owe all of them a huge debt of gratitude for the work that they have done. I acknowledge that that level of service is not consistent across all GP practices. A small number have not stepped up to the mark and the expectation of even their own colleagues.

**Ms Hunter:** My question refers to the point made by the Members who have spoken. Understandably, people have deep frustration and concern about not getting face-to-face appointments. We are all hearing it from our constituents. Off the back of that, what conversations are you having with patients and GPs about face-to-face appointments resuming as soon as possible?

**Mr Swann:** As I have said before and referenced in the answer to the previous question, we have seen an increase in face-to-face consultations and how we are now, compared to where we were in November 2019. The situation in regard to face-to-face GP consultations is improving. However, we need to be clear that many patients' experience of trying to access GP appointments is comparable to what it was pre-COVID. It was not a good level of service then either, because we saw a decrease in the number of GP practices and GPs across Northern Ireland.

I pay tribute to and support my GP colleagues in the healthcare family, who have stepped up and gone above and beyond to work in COVID and vaccination centres and who have supported their patients throughout this time. Like me, they will want to get back to as normal a health service as we have seen in the past.

That will be replicated in the Royal College of GPs and British Medical Association. The Member has heard those representations at the Committee. She knows the input that health professionals and organisations are putting into returning our health services as much as possible to face-to-face consultations while realising that those services are still under pressure.

**Mrs Barton:** I thank the Minister for his answers so far. Hopefully, the all-in-one stops will improve the accessibility of care for all patients. Will you, Minister, give your assessment of the impact of the MDT model so far?

**Mr Swann:** I thank the Member for her point. As I indicated in my original answer, the impact of the MDT programme has been to provide more care closer to people's homes and to improve access to early support and diagnoses by proactively managing patient need in the local GP practice setting through a multidisciplinary early intervention team. In my answer to the original question, I talked about the professionals that patients can actually access.

During 2019-2020, across the five sites, a total of 41,459 first-contact physio appointments were made, 86% of which were managed in primary care and only 12% of which received onward referrals. Continuing the roll-out of primary care MDTs will support the transformation of service provision in the context of a rapidly changing landscape of treatment options, workforce gaps and opportunities for change. Given the innovative nature of that approach, learning and evaluation are key elements of the MDT programme. The effectiveness of MDTs is being reviewed on an ongoing basis through an independent evaluation. Although year 1 of that evaluation has been heavily impacted by COVID, work is ongoing to address those challenges.

### **Addiction Support Service: North-west**

4. **Ms Mullan** asked the Minister of Health for an update on the provision of an addiction support service in the north-west. (AQO 1922/17-22)

12. **Mr Durkan** asked the Minister of Health for his assessment of addiction services in the north-west. (AQO 1930/17-22)

**Mr Swann:** With your permission, Mr Deputy Speaker, I will take questions 4 and 12 together, and I ask for additional time to give my answer.

Alcohol and drugs services across the north-west are provided through a combination of primary and secondary care services that are commissioned by the Health and Social Care Board, along with the prevention, treatment and support services that are commissioned by the Public Health Agency. All those are in line with the regional alcohol and drugs commissioning framework, Northern Ireland's overarching public health strategy, 'Making Life Better' and the Executive's current substance use strategy, the 'New Strategic Direction for Alcohol and Drugs Phase 2'. Resources for alcohol and drugs services will continue to be managed on a regional basis. Future funding for addiction services will be reviewed in line with the forthcoming substance use strategy, which addresses the needs of the Northern Ireland population as a whole, including that in the north-west.

The Western Health and Social Care Trust community addiction service consists of a core multidisciplinary team that is supplemented by a number of more specific services, including link and liaison nurses, opiate substitution therapy services, home detoxification services and an eight-bed complex detoxification and stabilisation inpatient unit. The service offers the full range of treatment options and receives approximately 2,500 referrals per year. For the majority of patients, where detox is required, withdrawal can be managed in the community as part of the shared care detox programme. The Western Trust is the only trust that provides a home detox service in Northern Ireland.

For the most complex cases, the Asha Centre addiction treatment unit in Omagh is one of the three regional inpatient complex detoxification and stabilisation units, the other two being Shimna House in the South Eastern Trust and Carrick 1 in the Northern Trust. Together, those three units provide 30 inpatient beds for complex detoxification and stabilisation across the region. Residents from any trust area can avail themselves of treatment in any of the units of their choice. The Asha Centre is an eight-bed unit that provides a six-week inpatient programme. It currently has seven beds in operation, with the eighth bed being utilised for isolation, if required, due to COVID.

That unit currently has a waiting list of 25 individuals for inpatient treatment.

As an independent provider of tier 4 rehabilitation services, the Northlands centre is part of the regional network of tier 4 addiction services for Northern Ireland, providing counselling, inpatient treatment and aftercare counselling services, along with support counselling for families, to achieve recovery for those with alcohol and drug addictions. Northlands offers a range of addiction treatment services, both residential and within the community, for individuals, couples and families with drug and alcohol problems. Most of its services are provided in its purpose-built facilities in Londonderry, with outpatient counselling services also operating in Coleraine and Magherafelt.

**Mr Deputy Speaker (Mr McGlone):** I remind the Minister of the two-minute rule. Given the importance of the topic, I allowed him to continue.

**Ms Mullan:** I thank the Minister for his extensive answer. I also thank him for agreeing to meet Tamzin White, who recently lost her mum. You will hear from her about the lack of detox services in the north-west region, particularly for females, and the real impact that that has.

The Minister responded to me earlier about the New Decade, New Approach commitment. He said that funding will be decided by a joint board of the Secretary of State, the deputy First Minister and the First Minister. Will the Health Minister take forward, to that joint board, the message that this is a commitment that needs to be funded and that it should be a priority?

**Mr Swann:** I thank the Member for her point. As I said earlier, there are a number of funding shortfalls in the "Addressing Northern Ireland's unique circumstances" section of 'New Decade, New Approach'. It is anticipated that the level of funding that is made available will not be sufficient to cover all the areas set out in 'New Decade, New Approach'. As I said, however, it is my understanding that the specific projects that the funding aims to support are determined by a joint board that includes the Secretary of State and the First Minister and deputy First Minister. To date, my Department, the Health and Social Care Board and the Public Health Agency have not been involved directly in that process, but we would welcome any further investment in substance use services. That investment must be in line with the identified need and the priorities for service development within the strategic commissioning and planning processes.

The Member is aware that the challenge is that there are a number of funding shortfalls in my departmental budget due to New Decade, New Approach agreements that were made without the necessary funding being attached. I therefore encourage her to lobby her party member, who is part of that assessment board, about the funding process.

**Mr Durkan:** I thank the Minister for his answers thus far. My supplementary question is almost as similar as my original was to Ms Mullan's. I also look forward to meeting the Minister when he comes to meet young Tamzin in Foyle. Karen, the other reps and I look forward to that engagement.

Will the Minister give a commitment that he will use his office and influence, along with the undeniable evidence of need, to exert pressure on the Executive Office and the Northern Ireland Office to honour the pledge made in 'New Decade, New Approach' for a new addiction unit in the north-west? He will have no shortage of support in doing that.

**Mr Swann:** I thank the Member for his commitment to offering support. He is aware that there are many health-specific proposals in 'New Decade, New Approach'. I do not have the reassurance of funding in this year's Budget or the coming year's Budget. At present, no funding allocation is aligned directly with those proposals. Priorities and promises have been made by the Finance Minister with regard to funding those. It will be up to the project board, which includes the First Minister and deputy First Minister and the Secretary of State, to prioritise those proposals and the funds that are made available to them.

The Member will be aware that, as Minister of Health, I will push for as much of that money as possible to come in our direction. Many of the commitments in 'New Decade, New Approach' are necessary not just for the advancement of the health service in Northern Ireland but for much of the sorely needed transformation.

**Mr Deputy Speaker (Mr McGlone):** There is time for a very quick question from Roy Beggs.

**Mr Beggs:** A minimum price of alcohol can contribute to a reduction in the consumption of alcohol and in levels of associated addiction. Can the Minister provide us with an update on minimum pricing? If we reduce the consumption of alcohol, the pressures on our addiction support will be reduced.

**Mr Swann:** I thank the Member. That was raised in the British-Irish Council statement earlier, because it was discussed at the British-Irish Council. I believe that the introduction of legislation for minimum unit pricing for alcohol could be a key population-level health measure in addressing the issue. Therefore, I have made a commitment to have a full consultation on minimum unit pricing once our new substance use strategy is finalised. That consultation will examine a range of possible options for alcohol pricing, including consideration of the emerging evidence of the effectiveness of minimum unit pricing following its implementation in Scotland and elsewhere.

**2.30 pm**

**Mr Deputy Speaker (Mr McGlone):** That concludes the period for listed questions. We will now move on to 15 minutes of topical questions. Questions 6 and 7 have been withdrawn.

## **Abortion Services: Western Trust**

**T1. Miss Woods** asked the Minister of Health to clarify to whom the conscientious objection provisions in the Abortion (Northern Ireland) (No. 2) Regulations 2020 apply, given that he will be aware that early medical abortion (EMA) services in the Western Trust were suspended on Friday 23 April. (AQT 1221/17-22)

**Mr Swann:** I think that they will apply to anyone who wishes to take up that option. My Department was informed on Friday of a temporary pause to the Western Trust's early medical abortion service, and my Department will continue to monitor ongoing efforts by the trust to restore delivery of those services with minimum disruption. At this stage, it is not known how long services will be paused in the Western Trust. It is my understanding that efforts are ongoing to put additional staff in place as soon as possible and to resume provision of an EMA service with the minimum of disruption.

**Miss Woods:** I thank the Minister for his answer. It is my understanding that there have been instances of some staff working across trusts frustrating service delivery by refusing to, say, perform administrative tasks. Will the Minister outline what instruction or guidance his Department has given to all the trusts in Northern Ireland on that matter?

**Mr Swann:** The trusts deliver the service, and it is up to them to deliver the administration of

that service. However, my Department has advised the trusts that abortion is now legal and that the regulations require such terminations to be carried out on health and social care premises by registered medical professionals. The EMA pathways were put in place by the trusts, starting from April 2020, in line with their statutory duties and functions to provide medical care and treatment in accordance with the needs of the patients and subject to the law.

### **Abortion Services: Western Trust**

**T2. Mr T Buchanan** asked the Minister of Health, after stating that he wholeheartedly welcomes the suspension of abortion services in the Western Trust, which he believes is an answer to prayers and about which he will continue to pray in the hope that the service remains suspended and does not resume, to outline the extent of the resource issue that his Department will face should it be compelled to commission such services across the health and social care system. (AQT 1222/17-22)

**Mr Swann:** I thank the Member for his question. That scoping work is being carried out, as it was work that was commissioned by my permanent secretary during the period when there was no Minister in place. That has recommenced following an easing of COVID pressures, and it is being reported to the Northern Ireland Office, which is engaging with that.

**Mr T Buchanan:** I thank the Minister for his response. It is of extreme concern that there are still those in the House who are constant advocates and cheerleaders for the premeditated murder of the unborn child through the mechanism of abortion. We saw that again in Saturday's 'News Letter'. Does the Minister agree that it would be much better to ensure that we have proper help and support services in place for mothers-to-be who may feel vulnerable and unable to cope, rather than advocating the destruction of the unborn child? Will he advise where he and his Department are in ensuring that such services are readily available in every trust area for all those who need to avail themselves of them?

**Mr Swann:** I note the Member's point. Due to the decision taken during the period when this place did not sit, there is now a duty on trusts across Northern Ireland to deliver abortion services. There is also a duty on us to support mothers and potential mothers with every physical and psychological support that we, as a health and social care service, can provide, no matter what their decision on abortion. That

duty is there. I, for one, think that the women of Northern Ireland deserve that we deliver that for them.

### **Victims' Pension: Health Budget**

**T3. Mr Chambers** asked the Minister of Health to confirm that his budget is under threat of being top-sliced by the Finance Minister in an effort to fund the Northern Ireland victims' pension. (AQT 1223/17-22)

**Mr Swann:** I thank the Member for his question. I very much welcome the announcement of the Troubles permanent disablement payment scheme, or the victims' pension, as it was previously known. TEO and the Department of Justice are leading on the design and administrative functions of the scheme, and there will be a cost associated with it. I am deeply concerned that it has been suggested, even by the Finance Minister in the House, that the associated costs could come from reductions to Departments' resource budgets simply on a pro rata basis and that that may be required to fund the payments. There is no doubt that the payments need to be made, but I hope that all Members agree that top-slicing a health service that has never been as stretched as it currently is would be deeply damaging and a detrimental step.

**Mr Chambers:** I thank the Minister for his answer. Minister, I, like you, certainly welcome the pension, not least because it is so long overdue. People will be deeply concerned if the Finance Minister is simply going to cut the budgets of some of the most important services in order to pay for it. What level of cut is the Minister's Department potentially facing, and what impact will that have on key health and social care services and, in particular, his recovery programme?

**Mr Swann:** I thank the Member. Although the costs are still to be determined, on a pro rata basis, my Department could be facing a cut of many tens of millions of pounds each and every year. Needless to say, a budget reduction of that magnitude would seriously undermine our ability to fund all our most fundamental health and social care services. After a decade of underinvestment and a desperate need to rebuild after COVID, the last thing that our health service needs is such a deep cut to its annual budget. I sincerely hope that the Finance Minister will find an alternative way forward for what was, as I said, a welcome announcement about the payment of the victims' pension, or the Troubles permanent

disablement payment scheme, as it is properly known.

### Face Masks: Post-primary Schools

T4. **Mr Givan** asked the Minister of Health, in light of the very impressive reduction in transmission and hospitalisation rates, when the guidance from the Chief Medical Officer and the Department of Health on the wearing of face masks in post-primary education settings will be changed, which is something about which he has spoken to the Minister of Education and the Children's Commissioner, and he and others have received complaints from parents whose children are experiencing headaches and exhaustion as a result of wearing the masks for six hours a day, five days a week. (AQT 1224/17-22)

**Mr Swann:** I thank the Member for his question. The introduction of face coverings in post-primary school settings was done at the request of the Education Minister as a step to allowing their reopening. I am sure that, if he puts forward a request for that to be considered with regard to updated medical advice and guidance, the Chief Medical Officer and the Chief Scientific Adviser will do that.

**Mr Givan:** That is interesting. That is not what is coming back in response to written questions, which is that it is based on advice from the CMO and the Department of Health. I would welcome some clarity between the two Departments. There is certainly a concern about children as young as 12 and 13 being required to wear face masks for a protracted period of time. Everyone accepts that it is more than challenging to do that in a school environment.

Will the Minister also clarify why affiliated sports clubs are able to put on five-a-side football, for example, but an unaffiliated group of players is not allowed to play five-a-side football?

**Mr Swann:** I thank the Member. With regard to his initial point about differentials in where responsibility lies, one thing that I have found in the past 14 months is that, if any Minister is queried about regulations, it usually ends up being my fault or turned round so that it is on the basis of guidance from my Department, the Chief Medical Officer or the Chief Scientific Adviser. I am not surprised that the Member has had that response. We will certainly follow up on it.

The process of easing restrictions and regulations is now being handled by the

Executive's COVID task force, and the steps that we will utilise are set out in the Executive's COVID task force pathway. If I remember correctly, there is a step under sport. It is the one of the natural steps that we take, because affiliated organisations have the ability to manage and control the necessary requirements for sporting activities in order to allow the restrictions to be relaxed. Given our vaccination uptake and the low number of hospital and ICU admissions, it is my hope that we get to a point very soon at which we can move quickly and steadily along the pathway of allowing us to return to as much normality in Northern Ireland as is possible.

### Mother-and-baby Homes: Support for Victims

T5. **Ms Bradshaw** asked the Minister of Health to outline how the services and support that his Department is providing to the birth mothers who were involved in the mother-and-baby homes is being monitored and to state how he is ensuring that the people who were retraumatised by the launch of the report on the mother-and-baby homes are getting the support that they have asked for, given that, as Members may recall, when the report was published, she did not share in their enthusiasm, in that she was frustrated that, after many years of banging on the door of his Department with the birth mothers and their children who were looking for justice, when, finally, it appeared that they were getting a bit of attention, she was very upset last week to meet with some birth mothers and hear that social workers who were meant to reply to them over a month ago regarding the family tracing service had not done so and that, although the victims had reached out for counselling a month or six weeks ago, they had received no response. (AQT 1225/17-22)

**Mr Swann:** The Member will note that the report was co-sponsored by the Executive Office and my Department. Work has been done on that, and a management board has now been established. I would appreciate it if the Member could write to me on the specifics about social workers and access so that we can follow up on those individual cases. That is not something that I want to reflect. When we, from our side, launched the report, which was a necessary and long-overdue piece of work, I think that I gave Members an assurance at the time that we would put as much effort as possible into supporting the birth mothers. I am therefore disappointed to hear of those failings and gaps. I will certainly follow up on the detail that the Member asks for.



**Ms Bradshaw:** Thank you, Minister, for your commitment. I take you to be sincere there.

You will be aware that the Executive Office has started a reference group on historical clerical child sex abuse. You will also be aware that the like of Nexus, which provides counselling for sexual abuse victims, has hundreds of people — perhaps over 500 — on its waiting list. I am concerned, Minister, that, as this gets a bit of momentum and there is a wee bit more public discussion about bringing people forward to disclose that they have been a victim, the support will again not be there for them. Can we pre-empt that a wee bit by making sure that counselling in that very sensitive area is in place?

**Mr Swann:** Again, I thank the Member for her very specific question, on what is a very sensitive but important piece of work. Those support mechanisms should be there. I know that we have engaged with voluntary and community organisations to ensure that they are there as a backup and as support in many cases. Again, I will follow up on the specifics and get back to the Member.

## Autism Strategy

T8. **Mr G Kelly** asked the Minister of Health for an update on the development of a long-term autism strategy. (AQT 1228/17-22)

**Mr Swann:** I thank the Member for his question about the long-overdue update on an autism strategy. I am aware of the increase in waiting lists for autism assessments and the distress that that has caused to children and to families who are managing challenging circumstances. The pandemic has exacerbated some of that. We are progressing the specifics of the autism strategy. I announced the consultation on that a few weeks ago. I will write to the Member with specifics on the dates and on how to access it.

**Mr G Kelly:** Will the Minister commit to involving those who have autism, their families, their carers and a wide range of community and voluntary sector groups in designing a future autism strategy?

**2.45 pm**

**Mr Swann:** I thank the Member for his question. As I said, he may be aware that I recently announced and published an interim autism strategy. The action in that strategy is to implement a new framework of care to deliver a proactive, integrated and streamlined pathway

for children and young people across the region and to provide a range of early intervention approaches and support to meet their needs and the needs of families and carers. I will make sure that that includes service users and those who depend on those services to make sure that there is co-production and co-design.

**Mr Gildernew:** On a point of order, Mr Deputy Speaker.

**Mr Deputy Speaker (Mr McGlone):** We have to wait until the end of Question Time for points of order.

That concludes topical questions. Members should take their ease until we move to the next question session, which will be with the Minister for Infrastructure.

**Mr Gildernew:** On a point of order, Mr Deputy Speaker.

**Mr Deputy Speaker (Mr McGlone):** No, I mean that we have to wait until the end of Question Time, including Infrastructure questions, Colm. Sorry about that.

## Infrastructure

### Schools: 20 mph Speed Limit

1. **Mr Harvey** asked the Minister for Infrastructure why she did not introduce a speed limit of 20 mph at Grey Abbey Primary School. (AQO 1933/17-22)

4. **Mr Easton** asked the Minister for Infrastructure what schools across North Down will be included in the 20 mph speed limit schemes for this financial year. (AQO 1936/17-22)

**Ms Mallon (The Minister for Infrastructure):** I was pleased to be able to commit funding towards the first tranche of part-time 20 mph speed limits at 103 schools across Northern Ireland. Those measures will increase driver awareness aimed at reducing vehicle speeds outside and near those schools to provide a safer environment for parents, children and staff as they go to and from school on a daily basis. Six schools in the Ards and North Down Borough Council area were included in the first tranche of the part-time 20 mph speed limits at schools programme, which is currently being rolled out and is due for completion in June.

Given the restricted budgets for works of this nature, as well as the practicalities of delivery, it

was necessary to limit the number of schools in the programme to about 100. Unfortunately, on the basis of the assessment scores, Grey Abbey Primary School was not ranked as highly as the schools that were included. However, I intend to take forward a further tranche of part-time 20 mph speed limits at schools and can assure the Member that Grey Abbey Primary School will be considered for inclusion in the programme. Programmes across all council areas are being developed. Therefore, I am not in a position at this time to identify what schools in the north Down area might be included.

**Mr Deputy Speaker (Mr McGlone):** Can I clarify whether the Minister is taking question 1 with question 4, as we were pre-notified?

**Ms Mallon:** Mr Deputy Speaker, I was advised that question 4 had been withdrawn by the Business Office.

**Mr Deputy Speaker (Mr McGlone):** No, the Member is here.

**Ms Mallon:** Yes, I am happy to offer my answer as a grouped answer, with your agreement, Mr Deputy Speaker.

**Mr Deputy Speaker (Mr McGlone):** Please do. Thank you. Do you want to add to that answer now?

**Ms Mallon:** No, Mr Deputy Speaker. I will offer that answer as the composite answer for both questions, and I am happy to answer the supplementary questions.

**Mr Deputy Speaker (Mr McGlone):** Yes, the Member will have a supplementary question.

**Mr Harvey:** I thank the Minister for her answer. What is the total cost to the Department of implementing the 20 mph limits at schools, considering that the cost of safety cannot easily be measured?

**Ms Mallon:** I thank the Member for his question. The budget that I allocated for the roll-out of the first tranche was £2 million. While I have yet to make final decisions on the allocation of this year's budget, I am committed to the roll-out of the scheme because I believe that many more schools should be included in the 20 mph programme. That is my intention. I hope to finalise budgetary details in the very near future.

**Mr Easton:** The Minister knows what I will ask. Minister, can you explain why not one school in

the North Down constituency has been included in the first tranche? Can you guarantee that Millisle Primary School and Crawfordsburn Primary School will be considered for the next tranche? It is unfair that North Down has missed out.

**Ms Mallon:** I thank the Member for his question. He has made representations on the issue, so I realise its importance to him. To be fair and objective, the Department operated from an assessment framework that is long established. While it was not possible to extend the scheme to schools in the Member's constituency, I am committed to rolling it out further, and, as I have indicated in correspondence with the Member, all the schools will be considered for inclusion in that programme. As soon as I am in a position to confirm the details, I will ensure that the Member is made fully aware.

**Mr Nesbitt:** As it happens, I spoke this morning to the chair of the board of Grey Abbey Primary School, who left me in no doubt about the deep anger in the community about the failure to provide the 20 mph zone. The community will note that, to date, the Minister has committed to nothing further than assessing Grey Abbey for tranche 2. I put it to the Minister that, if process is seen to take precedence over protecting the children whom we are here to look after, that anger will not dissipate.

**Ms Mallon:** I thank the Member for his question. I have received a number of items of correspondence from the principal, the chair of the board of governors and other elected representatives in respect of that school, so I certainly understand the frustrations. I am advised by my officials that the principal has, for some time — a number of years, in fact — been in correspondence with the Department. I have offered to meet the principal of Grey Abbey Primary School as soon as I can get clarity on the second tranche. I want to do what we can to extend road safety and improve the safety of all our children. That includes the pupils who go to and from Grey Abbey Primary School daily.

**Ms Armstrong:** I have written to the Department on the issue, and, on several occasions, I have met officials about the 20 mph limit. I thank the Minister for that. I am probably the only Member who drives past Grey Abbey Primary School every day, several times a day.

Could the criteria be reviewed? While Grey Abbey Primary School is on a 30 mph zone of the A20, articulated lorries pass within two feet

of the school wall. It is an extremely dangerous, blind corner where children run across the road with the lollipop person to avoid being run over by the many milk lorries and tankers. I ask the Minister to consider, in respect of the second tranche, that Grey Abbey could never have been included in the initial tranche because it is in a 30 mph zone. In fact, it is one of the most dangerously located schools in Northern Ireland.

**Ms Mallon:** I thank the Member for her question. I am happy to give that feedback to my officials for their consideration of the second tranche of funding.

**Ms Kimmins:** It will be no surprise to the Minister that I ask a question on the issue. As she knows, while the scheme is welcome, a very small number of schools in Newry and Armagh were included in the first tranche. I ask that any future roll-outs focus on areas that were not covered, so that schools in my constituency, such as Killeen Primary School, St Clare's Abbey Primary School and St Joseph's High School might be included. Can the Minister also provide detail on how the Department decides which schools will be included?

**Ms Mallon:** I thank the Member for her question. We had to limit the number of schools in the financial year just past, owing to the practicalities of delivery. I was keen, when we set out my ambition around the scheme, that we were able to deliver on it. That is why we thought carefully about the 100 schools. I am committed to continuing the roll-out. We have a departmental assessment framework that I have shared with a number of Members who have corresponded with me on the matter. The fact that we now have the limit present at 103 schools means that there will be many more schools that will be considered for it, including schools in the Member's constituency. I am happy to keep her updated. I have no doubt that she will continue to write to me on the matter as well.

**Ms Hunter:** I welcome the installation of 20 mph speed limits at many of our schools and the fact that protecting children is a priority for you, Minister. With your commitment to do more this year, from a financial perspective, have you received enough money from the Finance Minister to facilitate that?

**Ms Mallon:** I thank the Member for her question. My Department has received an increase in capital funds from the 2020-21 opening capital budget. The resource budget,

as always for my Department, is challenging, and that will have an impact as we seek to deliver on the range of capital projects in the Department. As I said, we have had budget allocations across from the Department of Finance. I am now working with my officials on the details of that to make the specific allocations in my Department. I assure Members that, as I have said since taking up the post, road safety is a priority for me. I am very aware of the great enthusiasm across the House and in communities to ensure that we do much more on school safety. That is why I remain committed to the project and to the further roll-out of the 20 mph speed limit across many more schools in this new financial year.

## **DFI: Temporary Promotions**

**2. Mr Carroll** asked the Minister for Infrastructure for her assessment of the use of temporary promotions within her Department. (AQO 1934/17-22)

**Ms Mallon:** Day-to-day staffing issues, such as temporary promotions, are the responsibility of management, not Ministers. However, I am aware that temporary promotions are routinely used across the Northern Ireland Civil Service Departments as cover for vacant posts, where there is a clear business need and no immediate alternative available. Temporary promotions are, as the name suggests, temporary arrangements that are intended to be in place only until a permanent appointment can be made.

At the end of February, my Department had 159 temporary promotions in place from a workforce of 2,973 staff. That represents 5% of the workforce and is below the Northern Ireland Civil Service average of 9%. Indeed, my Department has the lowest percentage of temporary promotions in place across the Northern Ireland Civil Service. The Department for Infrastructure departmental board regularly monitors the number of temporary promotions across the Department. My officials are also working with the Civil Service Human Resources to do what is required to fill all affordable vacancies as quickly as possible.

**Mr Carroll:** I thank the Minister for her answer. I note the figures that she gave, but, obviously, they are still too high, in the opinion of many people. Has the Minister or her Department carried out any research into the impact of the temporary promotion of staff in her Department, including the retention of workforce or the mental health and well-being of staff? Many will

think that, if they are fit for a temporary promotion, why not a permanent one?

**Ms Mallon:** I thank the Member for his question. As I said, they are matters that are dealt with by management, as opposed to the ministerial side. Of course, as Minister, I very much care for the health and well-being of my Department's staff. I am not aware of any research that has taken place, but that does not mean that it has not been done. I am happy to take the issue away, discuss it with my officials and provide the Member with an update.

**Mr Boylan:** I thank the Minister for her answers. I understand that vacancies have affected the delivery of services, including in Roads. At a Committee meeting recently, you said that you recognised the importance of improving rural roads. A 2019 audit report called for the structural maintenance budget to be more fairly allocated across the rural road network. Will the Minister commit to greater coverage of the rural roads network in the structural maintenance budget, and will she cover those vacancies to deliver that programme?

**Ms Mallon:** I thank the Member for his question. On the issue of vacancies, at the end of March 2021, the Department had 2,991 staff in post and 418 vacancies. It is important to point out that, of those vacancies, 86 were industrial posts and 332 were non-industrial, so they were administrative and part-time grades. We are working hard to ensure that we can fill affordable vacancies as quickly as possible. On the issue of structural maintenance, the Member will be aware that I set up a rural roads fund in the previous financial year and allocated £10 million to it.

I recognise the importance of trying to address regional imbalances across the North, but I also recognise the state of some of our rural roads and the impact that that has on local communities and businesses. Although I have yet to finalise my budget for the new financial year, I appreciate the importance of rural roads and the need for significant improvements to them.

### 3.00 pm

I remain committed to a rural roads fund, but the consideration that I have now is the amount of money that I will allocate to it. My intention is that, certainly, there will not be any reduction in the rural roads fund in the new financial year.

**Mrs D Kelly:** I thank the Minister for her answers. Whilst we all recognise that many civil servants have been working very hard throughout the pandemic, a recent court judgement gave a damning indictment of civil servants in her Department. I hasten to add that their time predated her tenure as Minister. Does she share my concerns about that, and what actions will be taken as a consequence?

**Ms Mallon:** I thank the Member for her question. The Court of Appeal finding that the Member referred to relates to a procurement competition that was run in 2015. The court found that there was a manifest error in the Department's approach to the awarding of multiple term-type contracts across Northern Ireland. I am advised that the procurement process for those contracts has been amended significantly since 2015. In 2018, the Roads centre of procurement expertise (COPE) was reaccredited through a rigorous external assessment examination. However, as the Member says, the ruling is a cause of concern; it certainly is for me. As the Minister now in post, I obviously want to understand what happened, how it happened and what steps have been taken to ensure that it can never occur again. That is why I met my permanent secretary after the ruling, and I am now considering the next steps.

**Mr Deputy Speaker (Mr McGlone):** I call Rosemary Barton.

**Mrs Barton:** Thank you. No; I do not have a question.

**Mr Muir:** I thank the Minister for her responses thus far. As she will be aware, she got a significantly increased capital budget for this financial year but the resource budget is largely standing still. Is she confident that she will be able to deliver on the capital budget with the allocations that have been made, particularly for the human resources in her Department. Cathal Boylan raised roads resurfacing, and I have a list the length of my arm of roads that need to be tackled in North Down. If you get the money, will you be able to spend it?

**Ms Mallon:** I thank the Member for his question. He is right to make the point about the capital budget. We can do a lot with that budget in this financial year, but, of course, it requires an accompanying resource budget. The resource budget allocation is a real-time cut when you consider inflation. The truth is that it will be challenging, but I assure the Member that the matter is very much on my radar. I have been meeting my permanent secretary and

senior officials in order to ensure that we have measures in place to allow us maximise our capacity and to deliver on schemes right across Northern Ireland, given the capital investment that we have at our disposal this financial year.

### **Rail Halt: Craigavon**

**3. Mr O'Dowd** asked the Minister for Infrastructure whether a rail halt for central Craigavon will form part of the regional strategic transport network transport plan. (AQO 1935/17-22)

**Ms Mallon:** I thank the Member for his question. It is an issue that he has raised with me on a number of occasions. As previously stated, my officials are developing a new suite of transport plans, and the regional strategic transport network transport plan, which is known as the RSTNTP, is the first in line for completion. That plan will set out future investment and improvement for our strategic transport networks by road, rail and bus and will reflect my commitment to improve connectivity for the benefit of our economy and communities across the North.

Travel by rail is something that I feel very passionately about, and I am ambitious about what we can do to deliver better rail connectivity. Since coming into office, I have been clear that my priority is addressing regional imbalance, better connecting communities and, importantly, ensuring that we shape our places around our people, for our people and with our people. On Wednesday 7 April, along with the Transport Minister, Eamon Ryan TD, I was delighted to announce an all-island strategic rail review that will allow us to consider our rail network across this island and how we can improve it for everyone. Officials are working together to progress the review, and, in addition, my intention is to put the strategic transport plan out for public consultation later this year.

I recognise the potential that additional halts on our rail network could provide for areas such as Craigavon. I encourage the Member, when he is responding to the consultation, to reflect his views so that we can consider them as we shape our rail services in particular.

**Mr O'Dowd:** I thank the Minister. I have raised the matter with her several times to keep it in her head when it comes to the report's conclusions. Will the Minister agree that, if the only outworkings of the Belfast to Dublin high-speed rail link are for the benefit of the Belfast-Dublin economic corridor — the most recent

report published by her Department said that it will get people into Belfast or Dublin more quickly — we will not provide economic opportunities to people who live along the railway line and that will be a totally missed opportunity?

**Ms Mallon:** I share the Member's analysis of that. We have had previous exchanges on transport as a key driver of regeneration in communities. Of course, when you want to expand rail, there is the reality of budgetary constraints as well. The wonderful thing about the all-island strategic rail review is that, yes, it is looking at enhancements to the existing rail network, but it is also looking at opportunities to expand and to see rail as the regeneration catalyst that it is. I am hopeful that, by bringing all those strands of work together, we can see better rail connectivity for communities right across the island.

**Mrs D Kelly:** I join my Upper Bann colleague to promote the central area of Craigavon as a suitable location for a rail halt. I welcome the commitment by the Minister and Translink to the improvements at Lurgan railway station. However, Minister, there is a lack of integration between bus and rail services. The central area has a huge manufacturing base. What dialogue have you had with your Economy Minister colleague in the Executive about the integration of transport? What consultation or information is shared between Ministers on those matters?

**Ms Mallon:** I thank the Member for her question. The regional strategic transport network plan, which I will be consulting on later in the year, is about looking at our road, bus and rail network up to 2035. That will provide an important opportunity for all of us to feed in to and shape that process. I am committed to working with all of my Executive colleagues as we try to deliver on our Programme for Government commitments. The Member is right to talk about the importance of transport corridors for economic growth and business links, and that is why I am very pleased that one of the strands of the all-island strategic rail review will be to look at rail connectivity to our international gateways, which are our ports and airports. We recognise the important role that transport corridors play in growing the economy and tackling the climate emergency.

**Mr Beggs:** The Minister's answer to date has been focused on road, rail and bus. Will the Minister acknowledge that to have a successful integrated transport system, we also need to have effective park-and-ride schemes and a network of walking and cycling routes?

**Ms Mallon:** I absolutely agree with the Member on that. I can see the conversion that is happening with Mr Beggs, which is great to see. In all seriousness, I say that park-and-rides are really important, which is why, as part of my blue-green fund, we are advancing a number of park-and-rides across Northern Ireland. The Member is right that it is about improving and strengthening our public transport network but that we have to encourage people to make that shift out of their private car into active travel and public transport. In order to do that, you have to give people choice. We need to make sure that we have safe active travel infrastructure for people and an inclusive, accessible and attractive public transport network. Recently, I was pleased to meet the Member and others at the all-party group on cycling to share some of the progress that my Department has made in that area. I very much appreciate the support from across the House in trying to progress that agenda.

### Casement Park: Update

5. **Mr McCann** asked the Minister for Infrastructure for an update on the Casement Park planning application. (AQO 1937/17-22)

**Ms Mallon:** Since my announcement in October recommending planning approval for the redevelopment of Casement Park, my officials continue to make considerable progress towards issuing the final planning decision. Departmental officials have been working at pace to progress the required planning agreement, which must be in place before the final planning decision can be issued. The Departmental Solicitor's Office (DSO) and the GAA's legal team remain in regular contact about the details of the planning agreement, and both parties are keen to reach an agreement as soon as possible. I look forward to the final planning decision being issued for the project, as I am of the view that the project will give a real boost to sport across our island and to the local economy and will, finally, give the GAA its home in Ulster.

**Mr McCann:** The Minister is aware of the importance of the Casement Park project for the west Belfast community and, more widely, Gaels in Ulster. Will the Minister indicate when we can expect the final planning decision so that this highly anticipated investment can finally proceed? She knows that people have been waiting for years and years for this decision, and, hopefully, it can be made shortly. It can be done only when people have an indication of when that will be.

**Ms Mallon:** I agree with the Member that this will be an economic driver for the local economy in west Belfast and greater Belfast. It will also give a real boost to sport and all the benefits that come with that. I assure the Member that my officials are working at pace to progress this. It is, of course, right that we progress it at pace, but we must do so properly. My officials and I are committed to ensuring that all of the statutory processes are correctly completed in the quickest possible time frame.

**Mr Humphrey:** What meetings has the Minister or her officials had with the Mooreland and Owendarragh Residents' Association (MORA) about Casement Park? Will she enlighten the House on the outcome of those meetings?

**Ms Mallon:** I thank the Member for his question. My decision on 13 October to recommend planning approval for the new stadium at Casement Park followed a comprehensive assessment of the planning application by my officials, including extensive consultation with the relevant statutory consultees and the public. As Minister, I took all issues into consideration and all of the different views that were represented. I appreciate that this is not the decision that some residents wanted, but I have previously explained the reasons why I arrived at that conclusion. In doing that, I did not have any meetings with residents. However, as I said, I have closely examined and very carefully considered the representations on this planning application.

### Hightown Incinerator

7. **Dr Aiken** asked the Minister for Infrastructure whether she has received a letter signed by some Members of Parliament in relation to the Hightown incinerator. (AQO 1939/17-22)

**Ms Mallon:** I confirm to the Member that I received a letter from the office of Sammy Wilson MP on 11 February of this year. The letter, which was endorsed by the eight DUP Members of Parliament, outlined strong support for the delivery of planning approval for the proposal and asked that I make a quick determination on the application. I received further communication from Paul Girvan MP on 1 April to clarify that this letter did not represent his views on the proposal and that his view remains that my Department must decide on this application to bring the matter to a conclusion. He asked that the Department update its record to ensure that this view on the application is properly reflected.

**Dr Aiken:** I thank the Minister for her answer. I am sure that she is as confused as I am by what the MP for South Antrim said.

Given representations from the council, councillors and many elected representatives across the entire region, not just south Antrim, will the Minister confirm the continued opposition to the Hightown incinerator, to which many, including me, have referred to as "RHI 2"? We want this incinerator planning brought to a conclusion rapidly so that we can bin this ridiculous project.

**Ms Mallon:** This application has attracted huge interest. In excess of 5,200 letters of objection and around 160 letters of support are associated with it. The Member will appreciate that, within planning, there are proper processes to be followed. That is what is occurring in this case, as in all cases. As soon as my officials are in a position to be able make a recommendation to me, I will ensure that they do so.

**Mr G Kelly:** It is not often that I agree with Steve Aiken, but he described the position exactly as I would. Does the Minister agree that the assessment of the amount of waste that would be necessary for the capacity that has been talked about does not exist?

**3.15 pm**

**Ms Mallon:** I thank the Member for his question. The question of the need for the facility is a matter for the applicant and DAERA. Given the passage of time and in light of the COVID-19 pandemic, my Department asked DAERA for an update on a statement of need in the context of the proposed development and the strategic and long-term needs for waste management and its circular economy in the North. A response is awaited from DAERA. However, the need for the facility is a key material planning matter for my planning officers to consider when making a recommendation to me on the application.

**Mr Deputy Speaker (Mr McGlone):** A very brief question from Mr Allister.

**Mr Allister:** Does the Minister not agree that it is ridiculous to have waited for over seven years for a decision on that planning application? Meanwhile, councils cannot properly meet their statutory obligations, and we are exporting waste to be incinerated and dumped elsewhere. How is that helping to clean up our world?

**Ms Mallon:** I thank the Member for his question. I am keen to reach a resolution to that long-standing application for all involved. If a sound decision is to be reached, it is important that the planning process is completed properly. The necessary administrative processes are being undertaken, including requesting consultation advice from the necessary interested bodies and public authorities. Once all the processes have been undertaken, I assure the Member that my officials will make a recommendation to me.

**Mr Deputy Speaker (Mr McGlone):** That concludes the period for listed questions. We now move to topical questions. Question 1 from Mr Doug Beattie has been withdrawn.

## **Harmony Lane, North Belfast**

T2. **Mr Humphrey** asked the Minister for Infrastructure to state why her Department has been singularly unhelpful in blocking off Harmony Lane in North Belfast, given the considerable criminality that is happening in that area, about which he and his Court ward councillor colleagues recently met with the Housing Executive and Belfast City Council, when they outlined the problems that include illegal dumping; pollution of the river; antisocial behaviour; illegal traffic, including lorries crossing a bridge that is neither regulated nor checked; and drug dealing. (AQT 1232/17-22)

**Ms Mallon:** I thank the Member for his question. He highlighted a number of difficulties and problems that fall across a number of statutory agencies: my Department and DAERA, given that there is fly-tipping; the PSNI, given that there is drug taking; and the council. In fact, the Lord Mayor of Belfast wrote to my Department about that matter and my officials are engaging with him. I am happy to get an update on the latest position and provide that to the Member.

**Mr Humphrey:** I thank the Minister. It is my understanding that the Lord Mayor has not yet had a response.

This morning, my party colleague the Minister of Agriculture, Environment and Rural Affairs, Edwin Poots, visited the site, along with council colleagues and local residents. The Minister agreed to convene a multi-agency round-table discussion, including representatives from the Departments that the Minister mentioned and the police. Will the Minister assure the House, my constituents who live in the Glenside area and me that her Department will play an active

role in that round-table discussion and multi-agency meeting?

**Ms Mallon:** I assure the Member that my Department proactively engages in a range of multi-agency meetings across Northern Ireland. My officials work and live in their communities, care deeply for them and are considerably proactive in addressing the multifaceted problems that are visited on many of our communities across the North. As my Department has always done, it will continue to engage proactively. It will certainly engage in the multi-agency meetings to which the Member referred.

### **Mid and East Antrim Borough Council: Concerns**

T3. **Ms McLaughlin** asked the Minister for Infrastructure whether she, as a Minister in the Executive, shares her concerns about the unfolding situation with the chief executive of Mid and East Antrim Borough Council, who authored an extremely contentious letter to the UK Government under the advice and direction of three DUP MPs. (AQT 1233/17-22)

**Mr Deputy Speaker (Mr McGlone):** Before the Minister answers, she will, of course, be aware that an inquiry by the Committee for Agriculture, Environment and Rural Affairs is ongoing into matters relating to some disclosures on the withdrawal of staff from Larne port.

**Ms Mallon:** Thank you, Mr Deputy Speaker. I have some very serious concerns about what appears to have happened in this instance. As the Deputy Speaker said, I am also aware that the matter is subject to an inquiry by the Committee for Agriculture, Environment and Rural Affairs.

I have no doubt that Members will have real concerns about what has emerged in recent days. One of the key questions that many people have is this: on whose behalf is the chief executive of Mid and East Antrim Borough Council acting? Is it the council members or a consortium of DUP MPs?

**Ms McLaughlin:** I thank the Minister for her answer. It is clear that she is as concerned as I am. Does the Minister agree that, regardless of whether it is on this issue or the DUP Minister messing about on other issues, the DUP is the common factor? Whether or not they agree with the protocol, its Ministers have to fulfil their legal duties.

**Ms Mallon:** The Northern Ireland protocol is a legally binding obligation, and all Ministers are required to fulfil their legal responsibilities. The SDLP has put forward a proposal to take a twin-track approach to the issues around the protocol, and it is that we work together to find pragmatic solutions to the difficulties that have emerged but that, at the same time, we work to maximise the opportunities that are there for our economy and communities, given the uniqueness of the situation in which Northern Ireland finds itself. Of course, I will continue, as Minister, to fulfil all my legal obligations in that regard, and I am very much committed to working with all Executive colleagues to ensure that we get the best possible outcomes for the people of Northern Ireland.

### **Unadopted Roads**

T4. **Mr McHugh** asked the Minister for Infrastructure what she is doing to address the issue of unadopted roads, which affects every constituent in the North of Ireland. (AQT 1234/17-22)

**Ms Mallon:** I thank the Member for his question. My Department holds information on roads in private developments that are determined for adoption, and we manage the adoption of the road infrastructure through the private streets determination process. Unadopted private street sites are at various stages of progress, ranging from sites that have recently been granted planning permission to those that are largely complete. There are approximately 67 unadopted streets in the old Strabane Council area, and my officials continue to inspect those sites and engage with developers to encourage them to bring the infrastructure up to the required standard for adoption.

**Mr McHugh:** Gabhaim buíochas leis an Aire as a freagra. I thank the Minister for her answer. Considering the impact of unadopted roads on communities, what enforcement strategy, for instance, is the Minister adopting to ensure that those roads are brought up to a standard that will allow people to have something as simple as getting their bins collected?

**Ms Mallon:** That is an issue in communities that are experiencing this. As I said, my officials work with developers to try to achieve the completion of developments, but, where required, the Department will not shy away from taking enforcement and legal action, given the importance of the issue to communities right across Northern Ireland.



## **Glider Phase 2: Update**

T5. **Mr G Kelly** asked the Minister for Infrastructure for an update on phase 2 of the Glider scheme, which will service north Belfast. (AQT 1235/17-22)

**Ms Mallon:** I thank the Member for his question. Again, it is about providing attractive, inclusive and accessible public transport options. That is important, particularly given the climate emergency, and the Belfast rapid transit (BRT) 2 scheme is an important element of that. DFI teams, along with the consultants Atkins are actively continuing to work remotely on the development of the project, which is also a Belfast region city deal infrastructure project. A feasibility and options appraisal is being developed, and I hope to be in a position to consider its outcome shortly. An interim outline business case for the BRT 2 project was forwarded to the Belfast region city deal executive board on 12 August.

**Mr G Kelly:** Gabhaim buíochas leis an Aire as a freagra. I thank the Minister for her comprehensive answer, which has closed down my supplementary question. Is there any more detail on the route option and the indicative timeline, which the Minister touched on? The service will be a welcome addition to the green economy and to green recovery following the pandemic.

**Ms Mallon:** Officials are working through options for the routes, but I assure the Member that we will go out to consult on the options for north Belfast and for south Belfast. I encourage businesses, residents and elected representatives in north Belfast and south Belfast to feed into that consultation so that we can arrive at the best outcome for the preferred route.

## **Narrow Water Bridge: Update**

T6. **Ms Ennis** asked the Minister for Infrastructure for an update on the Narrow Water bridge project. (AQT 1236/17-22)

**Ms Mallon:** I thank the Member for her question. The Narrow Water bridge project is of huge importance for boosting the local economy. It will also greatly enhance the tourism offering in the region. It is a commitment in New Decade, New Approach, and I recently met both councils in the area to hear their views and to reassure them of my commitment to the project. Work is ongoing on options, and I have given a commitment to visit

both councils again to give them a progress report in the summer.

It is very important that we continue to work to advance the project, and it is particularly pertinent in the context of Brexit. I remain committed to working with Minister Eamon Ryan and the Taoiseach's office — I am very mindful of the Shared Island Fund — so that we can move the project forward because people have been waiting a very long time to see it realised.

**Ms Ennis:** I thank the Minister for her continued commitment to the bridge. She knows that I never miss an opportunity to raise it with her. As she said, it would be a massive boost to the connectivity around the lough for Counties Down and Louth, for the economy and, of course, for tourism.

When the Minister goes back to meet Louth County Council and Newry, Mourne and Down District Council, will she be in a position to present the options being discussed between her and her counterpart, Minister Ryan? How soon after a final option is settled on does the Minister anticipate that we will see boots on the ground, ground broken and the start of construction of the Narrow Water bridge?

**Ms Mallon:** I thank the Member for her question and for her steadfast commitment to the project. We are due to discuss the Narrow Water bridge at the NSMC transport sectoral meeting, which has been rescheduled for early May. That will give me an opportunity to discuss the project with my ministerial counterpart, Eamon Ryan. I gave a commitment to both councils in the area that, when I go down in the summer, I want to give a progress report. Hopefully, after we have the transport sectoral meeting and the full NSMC meeting in the summer, we will have a much clearer picture of how we will take the project forward.

## **Castle Barracks, Enniskillen: Security Breach**

T7. **Mrs Barton** asked the Minister for Infrastructure what investigations she has carried out following the breach of security between last Friday evening and last Saturday morning at Castle Barracks, Enniskillen, a section of which is occupied by her Department, which also controls the use of the flagpole. (AQT 1237/17-22)

**Ms Mallon:** I thank the Member for her question. The Member is referring to an incident where a tricolour was put up on DFI property at

the DVA. Action was taken very quickly by our facilities staff, and the flag was taken down.

**Mrs Barton:** It happened in an area of historical and architectural significance in Enniskillen. What added security will you put in place to ensure that there is no breach in future?

**Ms Mallon:** I am not aware of an incident like that having taken place before, but I will ask my officials to look into it. It is important that we understand how it happened, and, if required, additional measures will be taken. I want to put on record my appreciation for DFI staff and their swift action in ensuring that things were taken down and normality was restored.

**Mr Deputy Speaker (Mr McGlone):** That concludes Question Time. I invite Members —.

**Mr Gildernew:** On a point of order, Mr Deputy Speaker. Will the Speaker look at the language that was used by Mr Thomas Buchanan in the Chamber earlier in his question to the Minister? I have informed Mr Buchanan that I would be raising this point of order. During his question, Mr Buchanan referred to Members of this House advocating premeditated murder.

I believe, given the sensitivity of the subject, that that language is inaccurate, it is inappropriate and I believe that it could and will cause untold harm to people who are struggling with these situations and who are accessing services to which they are legally entitled.

**3.30 pm**

**Mr Deputy Speaker (Mr McGlone):** I appreciate the Member raising that point. We are all responsible individually for the use of moderate and sensitive language within the Chamber and, indeed, without it. I will reflect on that, and pass it on to the Speaker for his deliberations. Thank you.

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

## Executive Committee Business

### Horse Racing (Amendment) Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Horse Racing (Amendment) Bill [NIA Bill 20/17-22] be agreed.*

**Mr Deputy Speaker (Mr Beggs):** Members, we now return to the Second Stage of the Horse Racing (Amendment) Bill.

**Mrs Barton:** This Bill has been brought forward to make minor amendments to the Horse Racing (Northern Ireland) Order 1990 to reflect the recent change in the named operator at Down Royal racecourse and to amend it accordingly. Making this change will allow for the reinstatement of payments to Down Royal and the racecourse at Downpatrick. Because the payments to Downpatrick were suspended, paying one racecourse and not the other could have created unfair competition in the market.

The fund that provides the payments is made up from a levy that has been collected from licensed bookmakers since 1961 and is administered by the Department of Agriculture, Environment and Rural Affairs. It was established to provide financial support to horse racing at Northern Ireland's two racecourses because of a decline in revenue, such as from gate receipts, as it was no longer necessary to attend a race to place a bet.

The payments go towards the cost of ensuring adequate safety measures for spectators and riders and that there are improved technical and personnel services in place to ensure proper operation of the races. However, there are issues in relation to online gambling on horse racing. Those are not for this Bill, but will have to be considered at another time. I support the Bill.

**Mr Blair:** I thank the Minister for his earlier explanatory introduction of the Bill. On behalf of the Alliance Party, I can say that we are content with the proposed amendment to the Horse Racing Order to amend the name and beneficiaries of the fund so that the current operators of Down Royal racecourse are eligible for support. We also recognise that this

is an outstanding and necessary measure that the Minister has had to take.

Speaking separately as a member of the AERA Committee, I am acutely aware of the significant impact that COVID-19 has had on income streams for the horse racing industry and for bookmakers. I welcome the Department's consideration of this in its amendment to the 1990 order. Amending the 1990 Order as proposed will ensure that support is available under the fund to both current Northern Ireland racecourses. It will enable the resumption of payments from the fund and support the industry in its recovery from the impact of the pandemic. I do, however, remain hopeful that a future review of this legislation will consider the remit of the fund in respect of the numbers and types of sports, as well as venues, that can receive support. I hope that the Minister can respond positively in that regard later.

Additionally, I recognise the opportunity that the discussion presents for a review of gambling legislation and to move responsibility for the fund so that it sits alongside the responsibility for gambling and sport. I welcome the Department for Communities' consultation on the regulation of gambling in Northern Ireland and look forward to seeing further progress, and indeed specific legislation, on this matter to protect people as much as possible, particularly from addiction.

On behalf of the Alliance Party, I support the proposal to amend the Horse Racing (Northern Ireland) Order.

**Mr Harvey:** I am happy to support the Horse Racing (Amendment) Bill at Second Stage. Given the difficulties that Down Royal has met with recently, it is evident that amendments to legislation are urgently required. The changes provided for in clause 1 will amend article 2 of the 1990 Order's definition of "horse racecourse operator" to include Downpatrick Race Club and Down Royal Park Racecourse Limited, the current operators of the racecourses at Downpatrick and Down Royal. I note that there is broad support for the proposed legislation from respondents to the consultation that was undertaken by the Department, including from Lisburn and Castlereagh Borough Council, the local authority for the area. I welcome the flexibility at clause 1 in respect of the future definition of a "horse racecourse operator", which will allow amendments to be made by resolution with the approval of the Assembly.

There should, of course, be an opportunity to reflect on the general merits of the legislation.

There have been calls to extend support to greyhound courses and other businesses connected with racecourses that are not directly involved in horse racing. This must be balanced against the wider societal impact of on- and off-course gambling as well as online gambling. These issues cannot be viewed in isolation.

We must be mindful of the wider implications of change. It is my understanding that the Department for Communities, which has responsibility for gambling legislation, is considering a wide-ranging review of that legislation. I urge the Departments to work collaboratively. Cross-departmental cooperation will continue to be crucial to ensuring that policies on competitive sport, business activity and gambling are fair and balanced.

As a result of the express text of the 1990 Order, both Down Royal and Downpatrick have been unable to avail themselves of support for some time. Action is required to rectify that situation, particularly given the impact of COVID on those businesses. More generally, the intention of the current legislation should clearly be honoured in good faith. As such, I support the Bill and thank the Minister for bringing it to the House today.

**Mr Carroll:** This proposed legislation has moved through the Assembly quite quickly. While I do not sit on the Committee that scrutinises it, I do have some concerns that I want the Minister to address as best he can.

This legislation is being presented as a minor technical change to allow the new owner of Down Royal racecourse to avail itself of a system of funding that has been in place for decades. However, it appears to me, and indeed to some who responded to the consultation, that the outworkings of the Bill would or could further deregulate funding in an industry that is in need of more regulation. By my reading, this Bill will allow a fully commercial and for-profit firm owned by the Dublin-based Merrion Property Group to avail itself of subsidy based on taxation of other companies — often, smaller traders.

Whatever purpose the legislation might have had in past decades, the amendment would be much more of a change in direction than just a technical tweak. My worry is that it will open the door to a worse problem, with big businesses able to avail themselves freely of a state-directed subsidy in order to maximise their profits. The industry is already known for questionable practices on gambling and animal rights. Anyone who knows anything about the gambling industry will tell you that the bookie

always wins, not the punter. It is always the working class and poor people who lose out to the gambling industry, in devastating ways at times. When we consider the impact of gambling addiction on society, we see that there is clearly a great need for tighter regulation, but the Bill would see the deregulation of funding and those who stand to make a profit from gambling gaining even more.

In the light of all that, I find it disappointing that the Minister and the Committee seem to have agreed to plough ahead with the amendment when the option was on the table to conduct a fundamental review that would explore future options. In the context of a pandemic, when large businesses have availed themselves of significant government money and smaller businesses, traders and workers have suffered comparatively, it is simply not good enough to say that we do not have time to complete such a review. I find it difficult to support the legislation going forward without a better explanation for not conducting a proper review and a proper explanation of how the Bill could guarantee that a for-profit organisation is not set to line its pockets further with the subsidy. For that reason, I look forward to some clarity from the Minister.

**Mr Poots (The Minister of Agriculture, Environment and Rural Affairs):** I thank the Members who spoke on the Bill and for the widespread support across the House for the legislation moving to the next stage.

I appreciate the points that have been raised by Members. Some raised the issue of the ability of dog tracks to draw down funding of this nature, which is not available at this time. The Bill really picks up what was available under previous legislation, which ceased to happen after the sale of one of the racecourses. Consequently, both racecourses lost out. We did not think that that would be the case, but, in 2019, we were informed that, because of state aid issues in the European Union, Downpatrick would lose out as well the Down Royal.

Mr Carroll raised the issue of gambling per se. It is not a pursuit that I have ever engaged in, and, frankly, I do not understand those who do. I know that it can be addictive, but the bookmaker always wins ultimately. In essence, it is the bookmaker who will pay this, not anybody else. That will ensure that the industry of equestrianism — the keeping of horses, having high standards for the participation of those horses and providing appropriate support and all that — which is entirely different from the gambling side of it, is maintained. That is the situation with that, and it is not something

that we can conflate with the issue of gambling, because that is dealt with by a separate Department — the Department for Communities — which has the responsibility for gambling and gambling legislation. I believe that it needs to be addressed and renewed. My colleague Jim Shannon was one of the leading people to bring the issue of one-armed bandits to the attention of the Westminster Parliament. They were in many bookmakers' shops, and people lost massive amounts of money on them. Thankfully, he had some success in bringing that forward. Therefore, whilst I respect what Mr Carroll says, this is not the appropriate legislation to deal with it. That legislation would need to be brought forward by the Minister for Communities.

**3.45 pm**

I recognise that a fundamental review of the legislation and the fund is necessary. That review needs to deal with a wide range of complex matters, some of which Members have raised today, and will, by necessity, take place over a longer time frame. I brought the Bill forward to lift what is there already and enable it to continue. I will ensure that the matters raised today that are not covered in the Bill, such as extension beyond the currently named locations, are included in the scope of a future review, so that they can be addressed. My officials and I look forward to working closely with the AERA Committee as it begins the detailed and important scrutiny of the Bill. I commend the Bill to the House.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Horse Racing (Amendment) Bill [NIA Bill 20/17-22] be agreed.*

**Mr Deputy Speaker (Mr Beggs):** I ask Members to take their ease for a few moments.

(Mr Speaker in the Chair)

## Private Members' Business

### 'Academic Selection and the Transfer Test'

**Mr Sheehan:** I beg to move

*That this Assembly notes the recent publication of Ulster University's Transforming Education project's research paper on 'Academic Selection and the Transfer Test'; further notes that this is yet another report that outlines the psychological harm that academic selection causes to children; acknowledges the finding within the report that there is little evidence that social mobility is increased by academic selection; agrees with the conclusion articulated in the report that the current arrangements for school transfer at age 11 are damaging the life chances of a large proportion of the school population; and calls on the Minister of Education to act in the interests of children and the wider education system by ending the use of academic selection as a means of determining post-primary transfer.*

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. One amendment has been selected and is published on the Marshalled List. Please open the debate on the motion, Mr Sheehan.

**Mr Sheehan:** At the outset, I want to say that we will also support the amendment.

The debate comes on the back of the publication of Ulster University's Transforming Education project's research paper on 'Academic Selection and the Transfer Test', which is the latest in a long line of reports and research that outlines the psychological harm that academic selection causes to children. The research also debunks the argument that academic selection leads to greater social mobility. The report tells us:

*"There would seem to be little evidence that social mobility is increased by academic selection and there is considerable evidence that it generally does not happen."*

In fact, it goes on to say:

*"The evidence overwhelmingly indicates that the current arrangements for school transfer at age 11 contribute to the social and financial costs of a stressful process that serves to benefit a few (generally already privileged) pupils while damaging the life-chances of a large proportion of the school population."*

I know that many in the Chamber went through the grammar sector, and I am aware that some who come from relatively disadvantaged working-class backgrounds attribute their life chances to the education and experience that they enjoyed in grammar schools. I respect that position, but they were the lucky ones, because they were among the less than 40% of 11-year-olds who passed the transfer test and were accepted into the school of their choice. Unfortunately, the flip side of that is that more than 60% of children failed the transfer test. The other side of the academic selection coin is academic rejection, and that rejection falls mostly on children from a disadvantaged background. According to the report:

*"the odds of a child securing a place at grammar school [are] five times less if they are entitled to free school meals compared to all other children."*

Of those on the opposite Benches who had a positive experience of the transfer test and academic selection, I ask this question: how many youngsters, particularly boys, from the Shankill, Sandy Row or other unionist working-class districts are attending grammar schools? Much has been said over the past few years about underachievement among working-class Protestant boys, and it has been highlighted by many Members. I ask Members to look again at the evidence. Underachievement among that cohort of boys is the result not of their religion but of their working-class and disadvantaged backgrounds. Catholic boys from a similar socio-economic background suffer very similar levels of underachievement. Academic selection serves neither Catholic nor Protestant working-class children well.

The transfer test acts as a filter for social selection. Well-off children go to one type of school, and poor children get what is left. That is not to say that non-grammar schools are bad schools, but, again, the evidence shows that, when you end up with high concentrations of poverty in schools, which is what happens when you have a selective education system, those schools will struggle. That research evidence goes back many years. The Coleman report of 1966 and all research since tell us that the most powerful predictor of academic

achievement is the socio-economic status of the child's family. The second most important predictor is the socio-economic status of the child's classmates. Quite simply, when children from disadvantaged backgrounds are concentrated in the same schools, disadvantage is reinforced.

The OECD has consistently argued for a better social mix of pupils in schools as a way to boost the educational performance of disadvantaged students. Learning in socially mixed classrooms where students from different backgrounds communicate their different experiences and perspectives encourages students to think in more complex ways. The evidence shows that high levels of social integration in schools create a win-win situation in which disadvantaged students and the high-flyers benefit, with increased educational attainment being the outcome. Positive peer role models are a vital component of any education system.

Of course, some will argue that our results at GCSE and A level are consistently better than students' results across the water in England and Wales. Be that as it may, but focusing on that aspect ignores the long tail of underachievement. In 2015, the well-known and respected educationalist, Sir Bob Salisbury, with whom many in this place will be familiar — he has done a lot of work in education in the North and with the Education Committee — told the Policy Forum for NI that the achievement gap here was the widest in Europe. He reported that no schools in England had such poor achievement as the lowest-achieving schools in the North.

The Minister needs to start a process that leads to improved educational outcomes. He should begin by setting aside his ideological support for academic selection and looking at the evidence instead. Read the report: it tells us that selection does not raise achievement across the system and may be one of the main contributors to the long tail of underachievement in NI.

There is no other area of public policy that has so much academic and research evidence stacked against it. The evidence could not be clearer. That is why so many are opposed to academic selection for 11-year-old children. Let me list a few: the United Nations Committee on the Rights of the Child; the Equality Commission; the Human Rights Commission; the Children's Commissioner; the OECD; the trade union movement; and the Catholic hierarchy. It beggars belief that the Education Minister wants to continue with this failed and

discredited policy of selection. It is time to stop defending the indefensible.

Underachievement does not just happen; it is the inevitable outcome of a policy that brands 60% of children as failures. The Ulster University report highlights the negative impact on the self-esteem of those who failed to gain a place at grammar school and how that trauma was often carried into adulthood, even by those in their 60s.

**Mr Stalford:** I am grateful to the Member for giving way. Just for clarity, can he inform the House whether he is calling for the abolition of grammar schools?

**Mr Sheehan:** No, I am not calling for the abolition of grammar schools; I am calling for the abolition of academic selection, which is completely distinct.

There are costs associated with underachievement other than the personal cost to children. People who leave school without educational qualifications are more likely to end up in the criminal justice system, and the rest of the population pays for that. They are more likely to end up in chronic ill health, which is another cost to our health service.

There has been considerable commentary about integrated education over the last number of weeks. A really integrated system should not be based solely on religion or community background; it must also take account of the socio-economic status of children and be a proper integration of our whole education system. That can never happen while academic selection is persisted with. It is time to end it now and create an education system that gives all our children the opportunity to realise their potential rather than end up on the scrapheap of failure.

**4.00 pm**

**Mr McCrossan:** I beg to move the following amendment:

*Leave out all after "school population;" and insert:*

*"further notes that the right to use academic selection is currently enshrined in law; and calls on the Minister of Education to give notice that he will repeal this legal provision by 2023 and replace it with a system that has the widest support and prioritises educational excellence for all without academic selection."*

**Mr Speaker:** The Member will have 10 minutes in which to propose the amendment and five minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mr McCrossan:** As SDLP education spokesperson, I welcome the opportunity to participate in the debate. The issues surrounding transfer tests in Northern Ireland are controversial and divisive, but it is important that we have a mature and considered debate on the issue today, given the huge failings that we have all witnessed in the current system. The SDLP believes that it is imperative that pupils, parents and schools have clarity for the future, especially given the impact that the current pandemic is having on education in its entirety.

Before I move on to the details of the motion and our proposed amendment, I will take the opportunity to put on record my appreciation for the many teachers and school staff who have gone back into classrooms and schools across Northern Ireland in the past few weeks. It is important that we put on record our solid appreciation for our teaching and non-teaching staff across all schools. Despite working in intolerable conditions and being in uncharted waters, they are doing a fantastic job, and I wish them well in the weeks and months ahead.

In the context of today's debate, it is especially important to put on record that I fully appreciate, acknowledge and respect all parents who are pushing for the betterment of their children's education and future prospects. Today's debate should not target those parents. Rather, it should acknowledge their effort in manoeuvring through what, unfortunately, is a transfer-test mechanism that is the only game in town at present. Those parents need to be commended today and not vilified or shamed for wanting the best possible outcomes for their children, and I think that everyone in the House agrees on that.

Over the past year, the pandemic has had a major impact on education and on children's learning opportunities and educational attainment. We are not out of the woods yet, and a huge amount of work still needs to be done to ensure that the current cohort of children does not become the generation that lost out through no fault of its own.

The SDLP believes that, at its core, academic selection is grossly unfair and in major need of an overhaul. We have consistently called for that, and it remains deeply disappointing that, in 2021, the North and this Executive have

continually failed to bring forward reform to better the educational outcomes for all our children. As SDLP spokesperson for education, I have consistently called on the Minister to intervene on transfer tests, especially given the events that have happened over the past year. It remains disappointing that those requests have fallen on deaf ears, as the Minister has continued to defend academic selection through the current unfair and unregulated process.

By way of background, academic selection and transfer tests have a long and chequered history in the North, from the Butler Act, which enshrined academic selection in law here in 1947, through the Dickson plan in 1969, which introduced a two-tier model of post-primary education in and around Craigavon, to the Burns committee established in 2000, which recommended the end of academic selection in the North. Perhaps the most fundamental move came in 2006, when the then Education Minister, Caitríona Ruane, abolished the old 11-plus examinations, with the last tests occurring in 2008.

**Mr Stalford:** Will the Member give way?

**Mr McCrossan:** I will in a second. Despite the intentions of the former Minister and rather than its being a silver bullet for resolving the issue, the decision eventually led to the opening up of unregulated transfer tests, over which both the current Minister and the Department of Education have deliberately had no control. I will now give way.

**Mr Stalford:** That segues neatly into what I was going to say. Is it not a fact that organisations such as the Association for Quality Learning (AQE) and Granada Learning (GL) simply would not exist unless there was parental demand for them and the services that they provide?

**Mr McCrossan:** The point is well made, and I thank the Member for raising it. This is a controversial debate, and there are many views in each and every household and community across Northern Ireland on it, and, indeed, in education itself, but we need to do what is right by our children and ensure that we protect them.

Following on from my previous point, the relationship, or lack thereof, has been found massively wanting during the pandemic. It is clear that the lack of oversight, especially with transfer tests going ahead, led to significant confusion, frustration and anxiety for many pupils and parents across the Province. That

has once again reignited the debate on what the best way forward is that is sustainable, has political buy-in and represents the best interests of all children across Northern Ireland.

Many schools have taken the decision not to use transfer tests at all for their 2021 enrolment. A number have stated that they will not use transfer tests in 2022, either. Those moves have been welcomed by the SDLP, and I have publicly congratulated schools for taking that strong position in light of current circumstances.

The motion refers to Ulster University's very factual paper on academic selection and the transfer test. There are a number of key issues that I want to raise from it. Perhaps one of the most shocking statistic concerns social mobility in grammar schools: the paper states that only 13.7% of the grammar-school population is made up of children who are entitled to free school meals, as Mr Sheehan pointed out. It adds that the odds of a child securing a grammar-school place are five times less if they are entitled to free school meals. The report also raises considerable concern about the fairness of the old 11-plus exam paper. It claims that up to 30% of young people who took the exam could have been given the wrong grade, and it highlights the lack of regulation in the content of the current transfer exams, which are not aligned to the school curriculum.

Other key findings in the report concern the psychological impact that failing a transfer test can have on young people and their self-esteem well into adulthood. Those findings are startling and clearly show that there are major flaws in the system of administering transfer tests in Northern Ireland, particularly since children develop at various stages. It is cruel that 11-year-olds sit those tests; it needs to change.

I turn to the SDLP amendment. It is our firm belief that academic selection will continue well into the future in an unregulated and inconsistent manner, which will achieve very little in terms of providing better educational outcomes for all our children, certainty and clarity for parents, and a fair and equitable educational system. The first port of call must be to remove academic selection from the statute books and provide a firm date for that; otherwise, we will continue on the same unpredictable, grossly unfair and cruel path.

**Mr Allister:** Will the Member give way?

**Mr McCrossan:** Yes.

**Mr Allister:** Does the Member think that having another chest-beating debate about this issue so that certain Members can parade their socialist credentials stands in sharp contrast to the fact that, although all those people have been in the House for many years, none has taken the opportunity to change the law by bringing forward a private Member's Bill? Some of the same people, of course, had the benefit of a grammar-school education but come to the House to rail against such opportunities for others. If you are serious about this, would it not have been better to have brought forward a Bill rather than yet another wasteful motion?

**Mr McCrossan:** I have not had the luxury of lingering round these corridors for as long as the Member, but these institutions have been down for three years. I hope that, in the time ahead, we can have debates that are in the best interests of our people.

The date of 2023 would give sufficient time to the Minister and the Department to consult widely on the issue, finally deal with the fundamental flaws of the current system, and bring forward serious alternative proposals to be considered by the House on the future of educational excellence in the North.

**Mr Weir (The Minister of Education):** Will the Member give way?

**Mr McCrossan:** I want to get finished, Minister; you will have your chance later.

The SDLP believes that the amendment is a practical step in the right direction rather than having a vague and aspirational motion. We also recognise that we need consensus on the issue if we are to realistically offer an alternative system. We hope that other parties have thoroughly considered the amendment and, equally, can support it.

The issues around transfer tests are not easy fixes, and there may not be a one-size-fits-all solution to them. Nonetheless, they have to be addressed in a realistic and pragmatic way by the House and the Minister. We cannot afford to bury our heads any further in the sand for any longer than they have been to date, nor can we continue to allow countless numbers of children—

**Mr Weir:** Will the Member give way?

**Mr McCrossan:** — to be consistently failed by our education system. I will let the Minister in.



**Mr Weir:** I appreciate that the Member's time is brief. I have been listening intently to the Member for the past nine minutes. He rightly says that he wants clarity and certainty. Will he outline what the SDLP, or his own, alternative is to academic selection? We have heard about abolishing something, but, as yet, he has simply said, "We want to have agreement on something else"; no proposal on what the alternative is has been put forward by the Member.

**Mr McCrossan:** The Minister makes a valid point. I have recognised quite publicly that there is no alternative to the current situation, but that does not mean that those who are in a position of influence and power, such as you, Minister, should not be exploring what is in the best interests of our children. One thing is certain: a bad system should not sit there because there is no alternative. It should be replaced or removed in its entirety, in the interests of our children. The current system is absolutely cruel and needs to be looked at immediately. Minister, you are the Minister for all of the children in Northern Ireland, not just those at grammar schools.

**Mr Newton:** I oppose the motion and, indeed, the amendment. It is predictable that, of the 12 reports produced, Sinn Féin selected the one on post-primary selection and transfer tests. This is yet another attempt by Sinn Féin to destroy Northern Ireland's grammar schools. For Sinn Féin, it is about getting rid of the transfer test and thereby destroying grammar schools.

Sadly, the outline of the motion is in line with the approach taken by the Chair of the Education Committee, Alliance's Chris Lyttle. Across the mandate, Chris Lyttle has demonstrated that his objective is to reject the ambitions of the vast majority of East Belfast parents who support the constituency's grammar schools. No matter how he tries to dress it up, removal of selection will destroy the grammar schools in all but name. The question to the Alliance's Chris Lyttle, in calling for the removal of selection tests, is similar to that posed by the Minister: does he advocate the English-style comprehensive system? What impact would that have on our current non-selective schools?

In East Belfast, we have three non-selective schools.

**Mr Lyttle:** Does the Member wish to give way?

**Mr Newton:** We have Ashfield Boys' High School and Ashfield Girls' High School, both of which have excellent records of achievement, and Dundonald High School, the principal and staff of which are working extremely hard, and they need support and investment. Those three schools need to be aided and encouraged. What they do not need is the destruction of East Belfast grammar schools and the implications that that would have for them as non-selective schools.

In the report, the authors confirm —.

**Mr Lyttle:** I thank the Member for giving way. It is a shame that the debate has descended and turned quickly into some sort of constituency-based attack on me. There are multiple other non-selective systems across the globe that we could study and draw from in order to improve our system. I would be glad to engage with the Member on those issues. I always enjoy supporting all of our excellent schools in East Belfast, which are envied.

**Mr Newton:** The question is this: if we remove selection, do we destroy the grammar schools? Yes, we do.

In the report, the authors confirm that transfer tests remain popular with parents. Around 50% of pupils sit one test or the other, and a proportion of pupils even sit both tests. The authors have challenged the social mobility aspect of grammar-school attendance and measure it only by school meals, and I will come back to that. The DUP supports parental choice. We support the right of parents to opt out of selection. However, we also have to respect that there is strong parental demand for selection. We also support the legal rights of schools to use selection for post-primary education.

**A Member:** Will the Member give way?

**Mr Newton:** I do not have time.

The Alliance Party still pretends to support grammar schools. That is being politically dishonest. Alliance, like Sinn Féin, wants to get rid of the transfer tests. If selection falls away and transfer tests are done away with without having a sustainable alternative, Northern Ireland would be left with a small number of private schools that are accessible only to a small number of affluent families. Since 2010, what sets a grammar school apart is the ability to charge fees. The private schools will be unaffordable to the vast majority of the population.

That narrow position, concentrating only on selection, does nothing to address the issue of underachievement. Too often, we have focused on the narrow debate around selection without giving full consideration to the range of other factors that contribute to educational underachievement.

The expert panel established by the Minister under New Decade, New Approach to address educational underachievement has identified a range of issues and policy changes that are needed. It says that, first, we need to redirect the focus to early years and, secondly, to champion the mental health and well-being of pupils, which is particularly important as we come out of the pandemic.

However, important overall is promoting a whole-community approach to education and supporting the professional leadership and continuous professional development in our schools and investing in our school teaching staff.

#### 4.15 pm

I want to finish with this story about a family who are my constituents. Dad was a motor mechanic, and he also worked part time during the evenings in another job, two evenings a week. Mum worked in a local shop. They lived in a terraced house in the inner-city area of east Belfast. They had two children. They were ambitious for their children, a son and a daughter. Their daughter first took the transfer test and went to a local grammar school. She did not go to university but followed a professional career in the financial services sector. The son passed the transfer test and attended a different local grammar school. He went to the University of Oxford, where he was top of his year.

**Mr Speaker:** The Member's time is almost up.

**Mr Newton:** He went on to the University of York and is now working as a corporate lawyer.

**Mr Speaker:** The Member needs to conclude his remarks.

**Mr Newton:** Neither pupil got free school meals, thereby confusing the statistics.

**Mr Speaker:** Before I call Robbie Butler, I say to Members that, at the moment, you will not be allowed any additional minutes for interventions. Otherwise, we will not get all the Members who want to speak included in this

session in the time that is allocated, if every Member takes their five minutes. As I said, I will not give one minute for interventions.

**Mr Butler:** As the education spokesperson for the Ulster Unionist Party, I put it on notice that we will not be supporting either the motion or the amendment. However, we welcome the debate. At the outset, I will say that most of the debate so far has been well intended. I do not believe that there is anyone in this Chamber who does not want the best outcome for each of our pupils in Northern Ireland, regardless of whether they are absolutely opposed to academic selection or a champion of academic selection.

I would much rather that today's debate were about the transformation of education. What does the transformation of education look like? I have some ideas, but I do not know exactly. The people who do have a good idea are the parents and the pupils out there. Today, we are telling them what our ideology is or what your ideology is, and we do not have pupil and parent participation. They would be the recipients of what we would do today, and we would not have designed something better than what is there. That could not be better drawn out than by the year that we have just had. I make no apologies for resting on what I learned over this past year and a bit through COVID when we had some protracted discussions and some non-discussions about what we would do for the P7s of 2021. I am going to rest today's argument on what we did with those children and the inflexibility of some people to, perhaps, courageously move to identify what should have happened for those pupils.

I welcome the report. Not one of us needs to be afraid of an academic report on trying to do things better. It talks about the psychological harm. Let me put on record that I have constituents — pupils — who have been psychologically harmed by the fallout from the transfer debacle this year.

**Mr McCrossan:** I thank the Member for giving way and for pointing out that very important reality. Does he agree that the reason for that damage to those young people is the uncertainty and the flip-flopping by the current Minister?

**Mr Butler:** I cannot say that, but I will say that I believe that, had there been political support across this House, we could have done something. It was done for GCSE and A-level pupils. I accept that there are difficulties with that, and there are well-made arguments about

that. However, when you look across the educational stakeholder groups and those who feed into it, you see that perhaps there is a fundamental problem where power lies and maybe the inability of the Minister, to give him his place, possibly to act in that regard. I disagree with the answer that I got on that, but the answer may well be right.

**Mr Lyttle:** Will the Member give way?

**Mr Butler:** If you do not mind, I will reiterate this point on the psychological impact. Let me talk about our failure to adequately support somewhere in the region of 14,000 to 15,000 pupils who, in good conscience, went through P1 and P2 right up to P6 and P7 and entered into a process that was not facilitated in the end. I have a number of pupils, but I am thinking of one in particular. I will not name her, because I do not have permission. That young girl is in a position that I have not known any child to be in. I know that there are well-made arguments about the psychological impact on other people. I am one of those children who went through secondary school education. I failed the 11-plus. I wrote a letter to myself about a year and a half ago, and I put it out there, because I understand that. If we are going to have a discussion about it, we need alternatives. At least I put an alternative to the Committee and to the Minister. It was not taken up.

We should not be afraid of change, but, unless the change is better and can be proven to better the lives of those children and to tackle educational underachievement, you deal with what you have got. Guess what? That is parental choice, and it is pupil choice. It is not perfect. I accept that. There might be something better that suits and that is designed by parents and pupils, but even academics do not agree on that. I engage with academics across grammar, secondary and primary schools. There is passion, but everybody has a different idea about how the process should go and what is better. I will give way to the Chair of the Committee for Education.

**Mr Lyttle:** I will be brief, given that the Member does not have an extra minute. Does the Member agree that the Education Committee commenced last May the type of engagement that he called for in order to avoid the chaos that has ensued for this year's P7 cohort? Does he agree that we have to do all that we can to ensure that nothing like that chaos occurs for next year's P7 cohort?

**Mr Butler:** Absolutely. I welcome the Committee Chair's intervention. To be fair to him, in the conversations that we had, he was very proactive about trying to find a solution. He is right that we have a cohort of P6 pupils who do not know what is happening. Perhaps the better and stronger debate would be to sort out what we are doing this year.

I will put on record again — I am not getting my extra minute, guys — that if there is a discussion to be had, it is about the transformation of education. If you have the answer, bring it to us. When you have the answer, we will look at it. The answer is not there yet.

**Mr Lyttle:** Alliance Party policy is that academic selection is an unfair, unnecessary and flawed approach to post-primary admissions. The Ulster University research is yet another report that supports that position, stating:

*"Rather than promoting social mobility and opening pathways through merit, academic selection seems to achieve exactly the opposite. While promising increased choice, it actually diminishes it, as it increases social segregation within communities. Selection does not raise achievement across the system and may be one of the main contributors to the long tail of underachievement in NI. It is traumatic for many children, creating damage which often endures into adulthood. It often distorts the curriculum of children in primary and post-primary schools and achieves little other than protecting the advantages of a few."*

The report goes on to state:

*"the DUP seem to ignore the negative impact of selection on ... working-class"*

communities, while:

*"Sinn Féin continue to be somewhat ambivalent despite their public pronouncements about removing selection."*

That is an important point, and it is perhaps a fair challenge that Sinn Féin will want to respond to. When Sinn Féin had the Education Ministry, its Minister abolished statutory 11-plus tests but did not prohibit the use of academic criteria for post-primary admissions. The Sinn Féin Minister of Education could have introduced legislation to prohibit the use of academic criteria for post-primary admissions. It is fair to acknowledge that, ultimately, the

reform will require a courageous Minister of Education to mandate non-academic criteria.

**Mr O'Dowd:** Will the Member give way?

**Mr Lyttle:** I will give way briefly. Be brief, though.

**Mr O'Dowd:** For Members' information, Caitríona Ruane brought draft legislation to the Executive. It was blocked.

**Some Members:** Hear, hear.

**Mr Lyttle:** That is a helpful clarification, and it is something that we need to look at.

Other Members mentioned that legislation on the issue ought to be brought and debated in order to, as I say, deliver non-academic criteria for post-primary admissions in a way that is similar to how it is done for primary admissions. Alliance will, therefore, support the motion and the amendment, but they will not deliver the change and reform that are needed.

Furthermore, whilst we continue to debate the issue, this year's cohort of P7 children has been subjected to post-primary transfer chaos because of the failure of the Minister of Education to introduce fair common contingency criteria after the disruption of transfer tests by the COVID pandemic. Children and families were failed. A better approach should have been taken for them this year. This chaos cannot be revisited on next year's cohort. Common contingency criteria must be put in place.

Whilst Alliance has a clear policy against academic selection, this cannot be reformed without adequate planning and preparation. There are alternative approaches. The World Economic Forum produces a Global Competitiveness Report on the state of the world's economies, which ranks countries according to pillars of competitiveness. Frequently, countries such as Finland and New Zealand are cited as exemplars in successful approaches to education. Finland has selection at age 16. However, its choice is augmented by examination results and interviews. New Zealand has a comprehensive, all-ability approach to education. Other countries, such as Belgium, have genuine, different pathways in general, technical, vocational and arts approaches.

We need fundamental reform of education and the independent review of education, recommended by the Alliance Party, gives an

opportunity for robust consideration of this matter and for an Education Minister, from whichever party, to give full consideration to the implementation of whatever recommendations come forward from that.

**Mr Speaker:** The Member's time is up.

**Mr Lyttle:** Thank you.

**Mr M Bradley:** I speak against the motion and the amendment as they stand. This call, which seeks to cease academic selection, could lead to the abolition of grammar schools in Northern Ireland. Are we advocating the introduction of a fully comprehensive system?

**Mr Stalford:** I am grateful to my friend for his giving way. Does the Member agree with me that it would be a brave MLA for East Belfast to go to the parents of kids at Grosvenor, Bloomfield Collegiate, Strathearn — all the grammar schools that exist in that constituency — and tell those parents that they seek the effective abolition of those schools?

**Mr M Bradley:** I thank the Member for his intervention. An MLA saying that about any grammar school, in any county in Northern Ireland, would have difficulties.

**Ms Armstrong:** Will the Member give way?

**Mr M Bradley:** I will.

**Ms Armstrong:** Does the Member agree that a motion was accepted by every single person? The House did not divide on the independent review of education. That does not protect any sectors. We have already done this.

**Mr M Bradley:** I thank the Member for her clarification.

It is my understanding that the abolition of selection and the removal of grammar schools could see a proliferation of private schools across Northern Ireland, which will serve only those with significant income, who can afford to pay for such schooling.

What are the proposers' preferred criteria for selection? That is unclear. Is a criterion some sort of hereditary selection, based on an older brother or sister or a family member being in the school or having attended the school? Is it based on proximity to the school? Academic selection may not be perfect, and I would like to see some adjustments to the selection process. Children have a right to apply and to influence

the choice of the school that they wish to attend, based on what is best for their needs and interests.

Current academic success should be valued and enhanced. Both grammar and non-selective schools offer a fantastic opportunity and deliver excellent academic outcomes for our young people. Our pupils continue to consistently outperform their counterparts elsewhere in the UK in examinations, as has been alluded to. Many schools across the education system have never used academic selection or use it only partially, and they also get absolutely exceptional results. We welcome and support those schools and do not intend to force academic selection on anyone.

The DUP supports academic selection and the legal right of schools to use it for post-primary admissions. Unless schools choose an approach that takes them beyond what is in the law, admissions criteria are up to individual boards of governors. We fully respect that. We also support parental choice, and we respect the fact that there is strong parental demand for selection. Abolishing transfer tests will restrict choice and opportunity, and one cannot support grammar schools while wanting to get rid of transfer tests.

This party will support a single system of transfer test to make the process as accessible and straightforward as possible, unlike the current system where pupils have to undergo two systems and multiple exams. Change is inevitable.

The Assembly needs to address educational attainment beyond fixed positions on selection; not focus on the narrow debate around selection but give weight to the range of other factors that contribute to educational underachievement. The expert panel established by the Education Minister under NDNA to address educational underachievement has identified a range of areas where policy changes are needed: early years; championing emotional health and well-being; promoting a whole-community approach to education; and supporting the professional learning and well-being of school leadership — all have yet to be brought to the Chamber.

However, we need to commit to addressing those issues, and we should be under no illusion: that will require broad political support and appropriate funding. The expert panel will consider necessary actions as part of its final recommendations. I acknowledge that change is needed, but that change must have buy-in from all political parties, not just a few.

4.30 pm

**Ms Brogan:** I support the motion and the amendment. Twenty years ago, the United Nations committee monitoring the Convention on the Rights of the Child described the academic selection practised here as an "excessive burden" on the child. In 2016, the UN committee called for the practice of unregulated post-primary admission tests to be abolished. In 2017, the Children's Commissioner called for an immediate end to the use of academic selection. She described it as "discriminatory" and as having:

*"a further detrimental impact on the educational outcomes of economically deprived children and young people."*

In 2018, the Human Rights Commission criticised the current two-tier system of education within which children from poorer socio-economic backgrounds are disadvantaged. The most recent research undertaken by Ulster University has found that academic selection:

*"facilitates a form of social segregation"*

that results in a "concentration of disadvantage".

Supporters of academic selection talk of social mobility and level playing fields. They suggest that every child has an equal chance of climbing the ladder of opportunity, but the evidence does not support that.

**Mr Butler:** I thank the Member for giving way. On that point about social mobility, is the transfer test the problem, or is the problem, perhaps, that we are measuring success by pupils attaining five good GCSEs and A levels? For example, when I joined the Fire Service, I did not need GCSEs or A levels. Now, the entrance level for the Fire and Rescue Service is GCSEs, and I can tell you that GCSEs do not make you a better firefighter. Are we looking at the right things when we look at how we value our children and what they are good at?

**Ms Brogan:** I thank the Member for his intervention. I agree that there are other issues that we can discuss, but academic selection is a good starting point.

The Ulster University report notes that a child entitled to free school meals is five times less likely to secure a place at a grammar school, as has already been mentioned today. To me, that

is not equality or a level playing field; it is inequality and the transfer of privilege.

Serious concerns have also been raised about the effect of the transfer test on the mental health and well-being of children. Stormont's mental health champion previously made calls for transfer tests to be cancelled, given the additional stress and anxiety that children and young people have faced because of the COVID pandemic. She noted that such stress and anxiety can:

*"increase their risk of developing mental illness in later life."*

In fact, in the last academic year, many school leaders were ahead of the Minister and cancelled transfer tests in their school for that year because of the pandemic. Again, a range of schools across the North has cancelled the transfer test for this academic year. That indicates to me that there is a will and a way for change. It is certainly time for change.

Research indicates that some children who were not successful in attaining a place at a grammar school never regained their confidence or overcame that sense of having failed. I do not want any child across the North to feel at the age of 11 that they have failed. We must do better for our children. We need a fair and inclusive education system that works for everyone. I call on Minister Weir to listen to the evidence. Academic selection puts immense and unnecessary pressure on our children, and it creates an unfair divide. Now is the time to end academic selection and end those inequalities.

**Mr Stalford:** I intend to speak in defence of the concept of parental choice and in defence of grammar schools. First, I have to declare an interest as a member of the board of governors of Braniel Primary School. My daughter is in P6, so she is going through the transfer process at present. The reason why that is happening is because I do not believe in denying others the opportunity that I had. I consider it to be the greatest start in life that I managed to secure an education at Wellington College Belfast, an excellent school in the heart of my constituency. That was achieved through academic selection. The alternative to academic selection is not selection on the basis of ability but selection on the basis of ability to pay. My family could not have availed itself of that option. Mention has been made of kids —.

**Mr O'Toole:** Will the Member give way?

**Mr Stalford:** Just one second. Mention has been made of kids who were entitled to free school meals: I was one such child at Wellington College.

**Mr O'Toole:** I really appreciate the Member giving way. I agree with him that Wellington College is an absolutely excellent school. It is one of the schools in south Belfast of which we can all be proud. Does the Member agree that Wellington College is excellent not because of what happened to the kids before they went there but because of the excellence of the school and the teachers and the kids' experience there? We should try to broaden that out to as many kids as possible.

**Mr Stalford:** I certainly feel very strongly that, when English direct rule Ministers came here, they did not understand the concept of a working-class grammar school. By and large, such institutions do not exist in GB, whereas many grammar schools in Belfast are attended by children and young people with an extremely diverse socio-economic background.

**Mr O'Dowd:** Will the Member give way?

**Mr Stalford:** Just one second. That was certainly my lived experience at Wellington College, as is the case in other schools.

I hope that those in favour of the motion have the courage to go to the doors of their constituents and tell them that they are in favour, effectively, of abolishing grammar schools. If you do not have selective criteria, that is exactly what you are in favour of: you are advocating for the abolition of grammar schools. There is no point in giving your constituents honeyed words about supporting grammar schools when you know that the abolition of academic selection —.

**Mr O'Dowd:** Will the Member give way?

**Mr Stalford:** Just one second, Mr O'Dowd.

**Mr O'Dowd:** You let Mr O'Toole speak.

**Mr Stalford:** I like him more [*Laughter.*] If you remove academic selection, you know what you are doing to grammar schools and the implications of that.

**Mr O'Dowd:** Flattery will get you nowhere.

The Member claims that there are socio-economically mixed grammar schools in

Belfast. The evidence does not stack up to back his claim.

**Mr Stalford:** As I listen to some contributions, I am minded of Churchill's quote:

*"Socialism is the philosophy of failure, the creed of ignorance, and the gospel of envy."*

I do not want to deny any child the opportunity to take their academic career as far as they wish to take it, and grammar schools are an excellent way to do that.

Quality education accessed on the basis of ability or on the ability to pay is the choice with which we will be faced.

**Mr Lyttle:** Will the Member give way?

**Mr Stalford:** I will give way if Mr Lyttle wants to tell us why he thinks that Grosvenor Grammar School should be abolished.

**Mr Lyttle:** This East Belfast Alliance MLA's vision is for equal educational opportunity for all children in East Belfast. I am privileged to have been given a mandate for that vision on three separate occasions and will happily do so again.

If children are entitled to free school meals, they are five times less likely to secure a place at a grammar school.

**Mr Stalford:** As I said, I do not know whether the Chair of the Education Committee attended a grammar school, but I find it remarkable that so many people who attended grammar schools are determined to tear them down. They availed themselves of the opportunity provided by a grammar-school education, but they wish to deny my children that opportunity. I do not wish to deny my children that opportunity. I want my children to enjoy the same benefits that a grammar-school education afforded me in my life.

**Mr Humphrey:** I thank the Member for giving way. It is interesting to listen to those socialist Members who would remove grammar schools and have consistently taken that approach. It is rather like pulling up the drawbridge. They have almost the same attitude when they oppose the public's right to buy Housing Executive properties.

**Mr Stalford:** The Member is absolutely right. It is kicking the ladder away and preventing other people —

**Mr Speaker:** The Member's time is up.

**Mr Stalford:** — from taking the opportunities that they had.

**Ms Hunter:** I welcome the opportunity to speak to the motion on the important issues of academic selection and the transfer test. I support the amendment tabled by my party colleagues.

I will focus my remarks on the mental health and well-being impact that academic selection and the transfer test can have on our young people. The Ulster University report to which the motion refers outlines the impact that failing the transfer test can have. I feel strongly that academic selection at the age of 11 is quite simply wrong. As my party colleague said, the SDLP believes that academic selection is unfair and in need of reform. I agree with him that it is disappointing that, in 2021, we still have not done enough to ensure better educational outcomes for all our young people in Northern Ireland.

As the Ulster University report states:

*"It is challenging to find any arguments made by researchers in favour of a selective system of education and, indeed, there is 'a broad consensus against grammar schools among Educationalists.'"*

**Mr Butler:** Will the Member give way?

**Ms Hunter:** Not at this time, because we do not get an extra minute. Sorry.

The report goes on to state:

*"There is evidence that failing to gain access to a grammar school has a negative impact on self-esteem."*

It does, and I have seen that at first hand, especially in my time at school. Children feel humiliated if they do not get into the school that they want or perhaps if they do not get the result that they want. It weighs heavily on their shoulders and continues to, way past the time that they go to university or choose not to. It is ludicrous that, in this day and age, when we have such a better understanding of issues surrounding mental health and well-being and know the impact that our formative years can have on us later in life, we continue to have an education system whereby a real outcome for our children can be low self-esteem.

This was mentioned by a Member who spoke previously, but a notable concern for me is that greater opportunity can be available to children from affluent families, who have access to more money. That perpetuates, in many ways, the postcode lottery and inequalities, because a child from one side of the town may have easier access to education-based opportunities than a child from another side of the town. We can do better than that.

The report also states:

*"these effects can endure into adulthood with attitudes to education, even by those in their 60s, influenced by whether they 'passed' or 'failed'"*

an examination that took place around half a century before. That is shocking and, indeed, very sad.

Our education system should be building up young people, supporting them and making them resilient, confident and capable of tackling life's many challenges. It should not contain an integral process that impacts on their mental health, well-being and level of self-worth. Members across the House will share my concerns about the scale of the mental health crisis here in Northern Ireland. The pandemic has greatly exacerbated that crisis, especially for our young people. A survey last year found that 12·6% of children and young people here suffer from common mood disorders. As was mentioned previously, the mental health champion, Siobhán O'Neill, has warned of the devastating effects of the pandemic on children. In that troubling context, this debate is taking place today. I have said today and previously in other debates that, as we begin to emerge from the pandemic, we have an opportunity to reshape our society and make much-needed changes to several of our systems and to public services —.

**Mr Butler:** Will the Member give way?

**Ms Hunter:** I am not done just yet. Sorry, Robbie. If I finish within time, absolutely.

We have an opportunity to reshape our society and make much-needed changes to several of our systems and to public services so that they work better and for everyone, whether those changes be to healthcare or, indeed, our education system.

To conclude, although I have focused my remarks —.

**Mr Butler:** *[Inaudible.]*

**Ms Hunter:** No, you will get in at the end. Although I have focused my remarks today on the well-being impact of our academic —.

**A Member:** It had better be worth it, Robbie.

**Ms Hunter:** Sorry?

**Mr Speaker:** I ask the Member to continue. Do not invite anyone else to speak, because others will not get the chance at all.

**Ms Hunter:** As others have outlined, there are many reasons to end the use of academic selection. There have been interesting contributions today, and I recognise that this is a controversial debate.

My background is that I was educated in Northern Ireland in a grammar school, but I was also educated in the States, both for primary and secondary education. I found it really interesting there that there was no test at 11 years old, but some of my classmates chose not to go into higher or further education, while others ended up attending Yale, Stanford or even Harvard. Today is an opportunity to see and explore, to look outwards for opportunities for how we can reform and to collaborate while doing so.

There are 15 seconds left, if the Member wants to come in.

**Mr Speaker:** We are excluding Members. Unfortunately, I cannot cut the time any more than it is being cut. The Member has been offered an intervention. If you want to take it, you have one second. Your time is up.

**Some Members:** *[Laughter.]*

**Mr Speaker:** I am just making the point that we do not have enough time to bring in all Members. I regret that.

**Mr Nesbitt:** That one second could have been his most famous intervention of all time.

I stand both as a grammar-school boy, from a grammar school in east Belfast, which seems to be the centre of the academic universe for this debate, and as the current chair of a board of governors of a non-selective post-primary school in my constituency. I have seen both sides of the argument. It seems that we are discussing just one small piece in a very large jigsaw.



We send children to school at the age of four and hope that they will stay there until 16, 17 or 18. We need to take a bigger look at what we are trying to achieve for our children.

#### 4.45 pm

I have always believed that there is a spark of ability, creativity and talent inside every child. It is our job, and that of parents and teachers, to create the circumstances in which the child can find that spark and develop it. A lot of my thinking is influenced by the writings and thoughts of the late, great Ken Robinson, a professor of creativity, who talked about the "element" in children.

When I went to post-primary school, I did so, in the language of the day, as a dunce. That is how I was regarded. In any academic test, you could guarantee that I would come twenty-third out of 24 in the classroom. My peers and teachers had written me off. I suspect, although they were too polite to say so, that my parents had written me off too. Do you know what changed everything? A wet Wednesday afternoon. It rained so hard that the playing pitches were flooded and, for something to do, the teachers sent us on a cross-country run. It turned out that I could run. I was challenged that if I could do so well out there, could I not find a classroom in which I could do a bit better than twenty-third out of 24. That was the first time that a teacher or adult gave me a reason to believe that my natural place in life might not be twenty-third out of 24. That transformed me, and I left school with an Irish schools athletics vest and a ticket to a fairly famous university.

Was that because it was a grammar school or was it because it was a school that realised that there are multiple intelligences? Do we not put too much emphasis on one intelligence, which we call "academic"? Should we not think about the fact that, inside every child, there are multiple intelligences and that one can spark the other?

When it comes to selection, I remember the late Gerry Burns. It must be over 20 years ago that Martin McGuinness commissioned him to look at the issue. As part of that research, the Department of Education conducted what it claimed was the biggest public opinion survey that we had ever undertaken in this country. It was a household survey. I do not have the results to hand, but I remember that a significant majority of parents were in favour of academic selection. Equally, however, a very large majority of parents were against the 11-plus. They wanted something better and fairer. However, I have not heard that fairer/better

alternative in the debate. If we could only step back and look at the full jigsaw, we would probably find how we want to recalibrate and reconfigure it.

I would love to support the motion or the amendment, but I am afraid that I can do neither. I was tempted by the amendment, but the time frame is not realistic.

We also need to think about social mobility, as that is part of the debate. Was it not the late, great John Hume who said that it was the 11-plus that allowed him to be socially mobile?

There is merit in selection. Would a school select its choir by saying that the first 50 children through the school gate on Monday morning were the choir? Would you select your Gaelic football team, Association football team or rugby football team from a ballot? No, there is selection in life. We know that. We had to be selected to stand for office and be picked by the electorate at the election.

There is merit in looking at it again, but this debate is too narrow.

**Mr Speaker:** I call Kellie Armstrong. The Member has approximately three minutes.

**Ms Armstrong:** I will talk fast, Mr Speaker, and will not take any interventions, especially not from those on this side of the House who have been giggling. Like my colleague Chris Lyttle, I support the motion and the amendment.

I am just a mummy and have come to the House as a mummy. I did not put my child through the 11-plus or the post-transfer test, as she was going to an all-ability integrated school where it was not needed. That is what we should be thinking about.

I heard Members saying that the Alliance Party is attacking grammar schools. We are not. Just do a different transfer test or something that does not test children at the age of 10 or 11. Over the past number of years, the Alliance Party has put in its manifestos that the age of 14 would be a better time to test, but that has been completely ignored by many. Fourteen is the age at which children pick their GCSEs, so that is a better time to decide whether their future is going to be down an academic path or a more practical path. It is about giving all children the opportunity.

I did the 11-plus, back in the bad old days. I am sorry to burst people's bubbles, but it has changed, completely and fundamentally. It is nothing like what it was in those days. Children

are sitting five or more tests, and parents have paid for tutors. People in my area have to pay £10 for the boat, plus all of the mileage, there and back, to go to the post-primary school that is holding the test. It is an expensive test that we are forcing 10- and 11-year-olds to do when they do not need to do it. I say that they do not need to do it because enough grammar schools have chosen not to use that private test, which is managed by a private company, outside of our Minister of Education's control, to test our children. Those grammar schools are able to do that, and they have not closed, so I ask all Members to think again.

We have already agreed on the independent review of education. What happens if that independent review says that there will be no different sectors? Grammar schools are gone and integrated education is gone; it is all one. It is time for us to stop putting money into the pockets of the private sector, off the backs of our children. We need all children to be offered the best education possible. I do not make any apologies for that.

We have a skills shortage in Northern Ireland. We should be reviewing our education system to ensure that the curriculum is able to bring children out of our school system and enable them to stay here and work in jobs that will make them money and keep them here. We need to work towards our children's future and not protect adults who have an interest in a particular school and grammar stream, an integrated school, a Catholic school, or whatever it is. We need to think about the children. Children are being harmed by the test. It is time we stopped it.

**Mr Speaker:** I call the Minister of Education, Peter Weir. He has 15 minutes.

**Mr Weir:** At the outset, I thank everybody who has contributed to the debate. Unsurprisingly, there has not been a meeting of minds, but, in general, the tone has been reasonable.

Our education system, particularly post-primary, has two great advantages. First, regardless of what position Members have on academic selection, I am sure that they will agree that we, in Northern Ireland, are fortunate to have a strong network of post-primary schools — selective and non-selective — that deliver well for our young people. I praise all those who offer those fantastic opportunities. Secondly, our system is based on choice, one of which is a choice for parents who wish to pursue the route of academic selection. It seems that we can have various sectors, such as Catholic maintained, controlled, integrated and Irish-

medium, but one choice that others are keen to deny is any form of academic selection. That academic selection route is not compulsory on any family, nor is it compulsory on any school. I do not seek to force any school to take the route of academic selection, and nor should I. Many schools do not use it.

**Mr Allister:** Will the Minister give way?

**Mr Weir:** I will give way to Mr Allister because he has not had the opportunity to take part in the debate.

**Mr Allister:** In light of what the Minister has said, does he share my disappointment that so many Members are not pro-choice and want to deny choice to parents? They want to have choice, as Mr Nesbitt said, when it comes to selecting their football teams and their choirs, but, when it comes to the critical decision of to which school a parent should send their children, they want those parents to be denied the choice on the phoney basis that all kids are of an equal academic, or non-academic, bent, when the reality is that some are suited to academic pursuit and some are suited to others. That is why we need schools to match that.

**Mr Weir:** I share the Member's disappointment, and I am sure that he shares my lack of surprise on the issue. I am not particularly surprised by the motion. To be fair to the party opposite that tabled the motion, its sentiment reflects a long-standing approach by that party, so its position does not in any way surprise me. It will not come as the greatest shock to them either that —

**Mr McCrossan:** Will the Minister give way?

**Mr Weir:** The Member has already spoken. I would be able to respond better if we got some clarity out of the SDLP as to what actual alternative was there.

It will not come as any great surprise to anyone to know that I do not support the motion or the amendment, and I will not give an undertaking to remove academic selection.

**Ms Brogan:** Will the Minister give way?

**Mr Weir:** No, I have a lot to get through. If someone has not had the opportunity to speak, I will give way briefly. From that point of view, I have a lot that I want to get through in relation to this

I turn briefly to the SDLP amendment. It is at best naive and at worst disingenuous. I say "naive" because it says, "Let us abolish academic selection and get something sorted out in the next year or two by way of agreement." The debate around academic selection predates the existence of most people in the House, me included. It goes back to shortly after the Second World War and, particularly, the 1960s. To suggest and try to pretend that there is some magic solution out there that there will be some common consensus around is naive. To be fair to the proposer of the amendment, when pressed on this, he did not offer any alternative. While I may disagree with the Chair of the Committee, at least he did throw out a number of other locations where alternatives have been looked at, but the Member, in his honesty —

**Mr McCrossan:** Will the Minister give way?

**Mr Weir:** — at least admits —.

**Mr McCrossan:** Will the Minister give way?

**Mr Weir:** I waited for a long period of clarity, and I did not get it. I think that your opportunity has gone in relation to that. It is also disingenuous because it says, "Let us find some form of compromise or agreement", but predicated on the assumption that you automatically abolish academic selection before you even have that debate, which seems to be utterly disingenuous.

It is also the case that, regardless of their views, Members know that opinion in our society is deeply divided on the issue. There is no universal agreement. Indeed, we were told, when the formal state transfer tests were abolished, that transfer and academic selection would wither on the vine and fall under myriad legal challenges, yet, on the last occasion when the unofficial tests took place, there were more sitting them than at the time of abolition.

If we look at the Ulster University report, we see that there are two key issues. First, at the heart of this is what would replace academic selection at the age of 11. Is the alternative better, fairer and more equitable? The short answer is no. Selection will take place in this society. I have some sympathy, particularly for Mr Butler, in his efforts to try to find ways forward on this. What was the alternative that was produced? Well, actually, many of the schools that Members are commending effectively select on the basis of family connections: "Does your brother or sister go to the school? Did your parents go to the school?"

Do your parents teach at the school?" We have a short-term alternative being proposed for those schools of hereditary grammar-school places to a greater extent than would happen in the House of Lords, yet that is what is being proposed.

**Ms Brogan:** Thank you, Minister, for giving way. Do you and your party think that post-primary selection is fair and just to all post-primary schools? Grammars are allowed to fill their numbers to the detriment of our non-selective schools. Should we not be looking at a system where every school is a good school and every child gets the same opportunity?

**Mr Weir:** Grammar schools are not simply able just to fill their numbers. All schools have a cap on numbers, so I reject that.

In the short term, it will lead to selection by way of family connection, but if we move to a situation where academic selection —.

**Mr Lyttle:** Will the Minister give way?

**Mr Weir:** No.

**Mr Lyttle:** Your criteria list "sibling" as recommended —

**Mr Weir:** And in the absence of academic selection, the problem is that there is not really any viable alternative. That is the problem. We need a bit of honesty in this debate. I am not going to throw this at any particular party, but, in the long run, the scenario of non-academic selection will mean the ending of grammar schools as we now know them. That is what has happened —.

**Ms Brogan:** Will the Minister give way?

**Mr Weir:** No, I am not giving way further. I have a lot to get through.

**Mr Carroll:** Will the Minister give way?

**Mr Weir:** In the same way as we have seen, with the exception —. Yes, I will give way to Mr Carroll. He is always entertaining, if nothing else.

**5.00 pm**

**Mr Carroll:** Thank you, Minister, for giving way. You may have noted that Chris Cook of the 'Financial Times', which is hardly a radical organisation or publication, stated:

*"the net effect of grammar schools is to disadvantage poor children and help the rich."*

What is the reason for maintaining the grammar system?

**Mr Weir:** I appreciate that the Member has at least a fairly clear-cut and honest position, which is that he wants to see the abolition of the grammar-school system. I assume that that is the case.

The reality is that, in the long run, you cannot divorce academic selection from the existence of grammar schools. It is disingenuous to pretend otherwise. What, then, do we see as the alternatives?

Mention was made of a postcode lottery, but what we see in England with comprehensive schools is that what are perceived to be the best schools then create a situation in which house prices close to those schools rise enormously; indeed, if you have enough money, you can effectively buy your child a place in those schools. There is no doubt that the same would happen here. We also see, whether it is in England, Scotland, Wales or the Republic of Ireland, a situation in which the choice is not between selective and non-selective or between grammar and non-grammar; it is between comprehensive schools and private schools. In England, 7% of parents pay an average of £30,000 to get a child into those schools.

I genuinely want to see a level of social mobility. I do not want to see the situation that we have with, for instance, the leader of the Conservative Party and Prime Minister, who is privately educated; the leader of the Labour Party in England, who is privately educated; or, I have to say, the leader of Sinn Féin in the Republic of Ireland, who is privately educated *[Laughter.]* I want to see opportunities for all. The reality is that, whatever the flaws in the current system, we see, for instance, in Queen's University and Ulster University probably greater social mobility mix than in many universities throughout the United Kingdom. The pathway to greater fairness is not clear-cut. The Ulster University report signals New Zealand, and I think that that was quoted by the Chair of the Committee. In New Zealand, no fewer than 15% of pupils go to fee-paying schools. Is that the potential alternative? Is selection by wealth better than selection by ability?

I support the right of schools to select on the basis of academic ability. I also support their

right to say that they do not want to use that as a methodology. I support a system in which every child, regardless of background, postcode, social group, religion or ethnicity, has the opportunity to get into any of those schools.

I have to say that I do not recognise much of the education system that is portrayed in the university report. Post-primary numbers are increasing, not decreasing; indeed, enrolments in non-grammars have been rising in recent years. The report advises that our primary curriculum is distorted by the presence of selection, yet international studies tell us that we have a truly world-class primary education system and a consistently excellent international performance. In maths, we have the highest performers in Europe and the seventh-highest performers in the world.

Mention was made of results. Yes, we have, and it has been well highlighted that we have —

**Mr O'Toole:** Will the Minister give way?

**Mr Weir:** No, sorry. I presume that you will be summing up, but my time is short so, unfortunately, I am not in a position to give way. I apologise to the Member for not giving way.

The position with our results is that, not simply year-on-year but generation after generation, our results have outperformed those in England, Scotland and Wales. We are the leader throughout the United Kingdom. It is also the case that we have seen, over a number of years, an improvement of over 14 percentage points for school-leavers in receipt of free school meals. There is a need to tackle underachievement, but, leaving aside the results for 2020, when GCSEs were done, effectively, through a non-examination system, the number leaving school without any qualifications or GCSEs in each of those years has been less than 1%, so progress has been made.

The other concern I have is that, when we constantly go at the subject, it provides a great opportunity for a certain amount of Punch and Judy on selection at 11.

The other issue is that it takes the focus away from where it needs to be in respect of underachievement. The focus needs to be on the wider context of our education system and not driven by ideological considerations. The principal problem, and where we need to tackle areas of underachievement, is in a lack of early intervention. It is about parental support. It is

about community buy-in. If we simply talk about problems not being solved by the age of 11, we miss the real problem. Areas of emphasis need to be supporting whole-school improvement, building and spreading leadership capacity, strengthening collaboration and partnership and embedding technology in educational pedagogy. I pay tribute to the professionalism of our teachers who have worked hard to do that.

If we remove choice, we lift the ladder away from a generation of children who will not be given that opportunity. I appreciate the points that my Strangford colleague made about parental choice. It is perfectly her right to choose not to go down that route. What she does not have a right to do is to try to impose that choice on everyone else. People have the opportunity —.

**Ms Armstrong:** Will the Minister give way?

**Mr Weir:** I will give way briefly.

**Ms Armstrong:** Minister, I appreciate what you have just said. However, if grammar streams are so important to the success of children, why have you refused grammar streams in integrated schools?

**Mr Weir:** I have not. There has been no development proposal for a grammar stream for any —.

**Ms Armstrong:** Strangford College.

**Mr Weir:** You will find that the development proposal for that grammar stream was turned down by the permanent secretary. It was before my time, so that is not accurate. I am very happy to see bilateral education. Where a bilateral choice is made, that is perfectly people's right. For instance, Lagan College let in a percentage of pupils from an AQE background. For reasons, it has moved away from that in the last two years. I have not denied any form of streaming at all. It is about choice, which is why I reject both the amendment and the motion.

**Mr Speaker:** I call Matthew O'Toole to wind on the amendment. The Member has five minutes.

**Mr O'Toole:** I have a lot to wind on in respect of the amendment proposed by my colleague Daniel McCrossan. I will try to take brief interventions, but I cannot promise that I will give way in all cases. We welcome the fact that the motion was tabled in the first place. As has

been said, our amendment seeks to improve on the motion by clarifying and making crystal clear the action that we want to see from the Minister. It must be said though that, based on what the Minister has just said, it does not seem as if he is going to act on the instruction that we hope to give him.

In any case, Mr Speaker, as you said, I have five minutes in which to wind. In truth, if I were to devote all my allotted five minutes to outlining the arguments and evidence in favour of academic selection, I would be sitting down fairly quickly. The truth is that all the investigation of and academic research into academic selection struggles to provide any robust evidence that academic selection provides good outcomes; good outcomes for pupils writ large or, indeed, good outcomes for our economy overall. The evidence simply is not there.

I proudly represent a party that is a member of the Party of European Socialists. I am a proud social democrat. I believe in broadening opportunity for all. I believe in social democratic goals. However, the truth is that you do not have to be a socialist, a social democrat or a dyed-in-the-wool lefty to believe that academic selection does not deliver for kids. Literally every single serious academic researcher who looks into it comes to that conclusion. That is why I am glad that the original motion mentions the paper that was put out by Ulster University.

**Mr Stalford:** Will the Member give way?

**Mr O'Toole:** I will give way in brief, yes.

**Mr Stalford:** Speaking as a dyed-in-the-wool, true-blue Conservative, I say to the Member that you will not improve academic outcomes by destroying the best-performing schools. Instead of dragging down that which is working, we should be dragging standards up in that which is not working.

**Mr O'Toole:** I am glad that the Member said that because, in a sense, that is exactly what we want to do by getting rid of the unfair and unjust nature of academic selection that exists in Northern Ireland. So much of what we have heard so far in defence of academic selection has been based on anecdote rather than true robust evidence. That is understandable because there is no real robust evidence in favour of academic selection.

I will offer a bit of an anecdote of my own. I went to a grammar school. I had a very good education there.

Looking back on it now, though, I find it hard not to feel guilty. This is not a criticism of my school or anyone who worked in it. I went to a Catholic boys' grammar school. Immediately behind it was a non-selective secondary school for 11- to 16-year-olds that was run by the same order. At my school, we wore maroon blazers with gold brocade. We were in a big, glamorous building — not glamorous; statuesque — with a Latin crest over the door. Immediately behind my school was a brutalist breeze-block building, which was where boys in plain grey and black blazers went. They were amazingly talented young men, and great teachers worked in both schools. This statement is not meant to demean the non-selective school or lash out at the selective school that I went to, but do you know what? Looking back, I feel guilty. I almost feel slightly ashamed of that. Thinking about it, I remember that, at the time, those boys walked up to their school, which was hidden away. My school was on one of the main streets, and the non-selective school was behind it. Do you know what? Looking back, I do not think that it was right that I got to feel —.

**Mr Butler:** Will the Member give way?

**Mr O'Toole:** I will very briefly, yes.

**Mr Butler:** The Member makes a really good point. I was one of those guys who wore a secondary school uniform. He is absolutely right about how that is viewed. I will take the geography of Wallace High School and Friends' School in Lisburn as an example of why his proposal would not fix that. Many grammar schools sit in more affluent areas. If there were a proposal, perhaps we could look at it, but there has been none. That does not fix the problem.

**Mr O'Toole:** I thank the Member for his intervention. I am in my final minute. That brings me on to a key point, which is that people who oppose my party's amendment and the motion say that we have not provided an alternative. Here is the thing: we want the Department to go away and look at it. An independent review of education is happening. As regards the idea that there is no alternative, what gives the lie to that is the fact that we are the alternative. We are the outlier. Ours is the only jurisdiction in the developed world that has academic selection at age 11. If it is so crazy and mad to abolish academic selection at age 11, why does every other jurisdiction in the Western world not have it? My God, if academic selection at 11 is so great, why are jurisdictions across Europe and the Western world not rushing to do it? Surely, that would be the

upshot. Surely, if it were so great and delivered such great outcomes for working-class kids, jurisdictions everywhere would be seeking to take it up. They are not, I am afraid, because it is not good enough. It is not good enough for the economy —

**Mr Speaker:** The Member's time is up.

**Mr O'Toole:** — which has poor skills. In closing, I commend the amendment and motion to the House.

**Mr Speaker:** I call John O'Dowd to make the winding-up speech on the motion and conclude the debate. The Member has 10 minutes.

**Mr O'Dowd:** I will start where Mr O'Toole ended and, indeed, where my colleague Mr Sheehan started the debate. The motion and amendment call for evidence-based policy. I cannot think of any other area of public policy, within the Assembly's remit or beyond, where legislators are allowed to make legislation or continue a policy when all the evidence is stacked against it. I cannot think of any other area. I am happy to take an intervention if somebody can point me to such an area. However, here is the reality: in this debate of approximately one and a half hours, Members who support academic selection have not been able to produce or cite one academic, international or local report that supports academic selection. What does that say about their argument?

Anecdotal evidence is all very good. We have heard evidence about constituents. Indeed, the anecdotes that came from Mr Stalford would warm the cockles of your heart. However, it is not evidence on which to produce Government policy. It is certainly not evidence that should dictate the future of our children and the economy. Mr Nesbitt said that the best members are selected for a choir or football team. That is true, and that is why I was on neither. However, we are talking about the education system. We are talking about schools. What is the purpose of a school? Its purpose is to educate young people. I will always remember the principal who told me when I was Education Minister that, when she greets a pupil for the first time, the question that she asks herself is not whether they are clever but how.

We do not have different teacher training colleges for grammar-school teachers. They go to the same training colleges as those who teach in non-selective schools. Why is that? It is very simple: they teach the same curriculum.

Whatever happened in 1947, 1957, 1967 or after that, today's education system teaches one curriculum. A selective school teaches the same curriculum as a non-selective school. The teacher who teaches in that classroom was taught their profession at a teacher-training college here or elsewhere, but there is no grammar-school teacher-training college.

**5.15 pm**

What is going on? What is at the heart of this? People tell me, quite rightly, that the transfer test is popular with parents. It may be popular with some parents. I am a parent, and my children will not sit the 11-plus. I care deeply about my children's education. I care deeply about that. People will say, "You have no right to take that choice away from someone else", but academic selection takes choice away from thousands of children every year, and we let that continue. We are denying —

**Miss Woods:** I thank the Member for giving way. I have much to say about this, but I have no time to do so. On the subject of choice, does the Member agree that the viewpoints and the voices and choices of children and young people are fundamentally missing from today's debate? In 2009, the Northern Ireland Youth Forum conducted a study with young people about their views on primary to post-primary transfer. Its key finding was that young people expressed a strong desire to be more involved in shaping policy. Today, I ask that the Minister and the MLAs on the Education Committee engage with and listen to children and young people. This is not a debate about the interests of schools or parents; it is about children and young people.

**Mr O'Dowd:** Of course I agree that children's views have to be heard throughout this process.

The Member brings me on to the subject of public opinion on these matters. I was talking about parental support, or alleged parental support. If government policy were based on whether or not it was popular, we would be in difficult waters. I do not mean to pick on Mr Stalford, but he said that it would take a brave MLA for East Belfast to go around and tell people that things are changing. Guess what, folks? We are in the business of having to be brave. We are leaders. We do not have the luxury of standing up on this hill and saying, "There go my people" as they march past. We are supposed to lead them, and, when you look back through the years at the unpopular public policy decisions that people had to make, it was the right thing to do.

I always use the following example. It does not directly match across, but it is a worthwhile example. Smoking was very popular, but — guess what? — the evidence told us that it caused significant harm; drinking and driving was OK 20 or 30 years ago, but — guess what? — the evidence told us that it did us harm; and — guess what? — the evidence tells us that academic selection is harming our young people. It is harming our education system, our economy and the well-being of our citizens, so let us do something about it.

**Mr Carroll:** Will the Member give way?

**Mr O'Dowd:** I will give way very quickly.

**Mr Carroll:** Is the Member concerned, as I am, that those who defend the current system tend to focus on "pulling up your socks" stories and not on the people who are being failed by academic selection, including grammar schools?

**Mr O'Dowd:** Very much so. We always hear anecdotal stories about those who have done well, but they are conveniently quiet on those who have not done well. They are very quiet on that subject.

**Dr Archibald:** Will the Member give way?

**Mr O'Dowd:** Yes, certainly.

**Dr Archibald:** This is on the issue of how the ending of selection will also end grammar schools and how the DUP is apparently very concerned about social mobility. I went to a grammar school — Loreto in Coleraine. That school abolished selection in 2013. That did not drag it down. It is still one of the top-performing schools in the North. That is because it is a good school, and that is what the focus should be on.

**Mr O'Dowd:** Exactly. The debate about grammar schools being destroyed is false. It is a distraction. The status of a grammar school is set out in legislation, completely separately from academic selection. It is about management type and is nothing to do with academic selection. Indeed, there is a non-selective grammar in my constituency. At the time that academic selection was done away with and unregulated tests were coming in, there were messages of doom about grammar schools coming to an end. A significant number of grammar schools have moved away from academic selection since then, and a significant

number are planning to do so. It is slowly ebbing away.

**Mr Weir:** There are more doing the test.

**Mr O'Dowd:** There may be more doing the test, but there are more pupils about. I also know parents — we all hear this — whose children sit the test and have no intention of going near a grammar school, and they do not support academic selection. A school does not have to be a grammar school to be a good school. As a result of the entitlement framework and measures that were introduced by me and other Ministers, including Caitríona Ruane, we now have a non-selective post-primary sector that has the ability to deliver high-class and world-class education.

That socio-economic mix at Queen's University, Ulster University and elsewhere that the Minister talks about is as a result of non-selective schools producing high-quality education for their pupils. As long as the system is against it, however, the challenge will always be one for the non-selective sector. As long as we ignore the evidence, the non-selective sector will always face pressure. The non-selective sector has the majority of working-class kids in it, so who is being served by protecting academic selection?

Often, when we are discussing Brexit in the Chamber, the DUP will tell Sinn Féin, "You used to be opposed to the European Union". Guess what, folks: the DUP used to be opposed to academic selection. It had a policy of being against it right up until, I think, the 1980s, for the reason that it discriminated against working-class kids. As is the DUP's right, it changed its policy, but who is being defended? Those who benefit from the system are being defended. Those who benefit from academic selection are being defended, and the evidence shows us that, at the upper echelons of that, there are higher earners, those who are in positions of influence and those who are in positions of power. It is like Mr Stalford's comment that it would be a brave person who commits to change. If those holding the power are being defended, we have to ask ourselves a serious question, which is this: if all the evidence tells us that academic selection is damaging our education system, damaging working-class communities and damaging non-selective schools, why protect those who are in power? Surely our job is to stand up for those without a voice. Surely our job is to ensure that everyone in society is given an equal opportunity. That is our role. Our role as legislators is to make change, so do not

continue to suggest that there is no alternative. There is an alternative. The vast majority of post-primary schools currently use it, and it is a successful way of transferring children from primary schools to non-selective schools.

Will change happen overnight? No. Will social mobility improve overnight? No. Will the practice of hereditary grammar-school places that the Minister talked about change overnight? No. Unless we start to make change, however, it will never happen, and the working-class kids who are let down by academic selection will continue to be let down by academic selection. The people who support academic selection have shown no evidence today that it is a good policy. Those who oppose it have rhymed off list after list after list of why it is a bad policy, so let us remove it.

*Question put, That the amendment be made.*

**Mr Speaker:** I remind Members that, while they are in the Chamber and are casting their votes, social-distancing requirements still need to be adhered to.

*The Assembly divided:*

*Ayes 48; Noes 37.*

## **AYES**

*Ms Anderson, Dr Archibald, Ms Armstrong, Ms Bailey, Mr Blair, Mr Boylan, Ms S Bradley, Ms Bradshaw, Ms Brogan, Mr Carroll, Mr Catney, Mr Dickson, Ms Dillon, Ms Dolan, Mr Durkan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Ms Hunter, Mr Kearney, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mrs Long, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Muir, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Ms Rogan, Mr Sheehan, Ms Sheerin, Miss Woods.*

*Tellers for the Ayes: Ms Brogan and Mr Carroll*

## **NOES**

*Dr Aiken, Mr Allen, Mr Allister, Mrs Barton, Mr Beattie, Mr Beggs, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Butler, Mrs Cameron, Mr Chambers, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Middleton, Mr Nesbitt, Mr Newton,*



*Mr Poots, Mr Robinson, Mr Stalford, Mr Stewart, Ms Sugden, Mr Swann, Mr Weir.*

*Tellers for the Noes: Mr M Bradley and Mr Stalford*

*Question accordingly agreed to.*

*Main Question, as amended, put.*

**Mr Speaker:** I have been advised by the party Whips that, in accordance with Standing Order 113(5)(b), there is agreement to dispense with the three minutes and move straight to the Division.

*The Assembly divided:*

*Ayes 48; Noes 37.*

## **AYES**

*Ms Anderson, Dr Archibald, Ms Armstrong, Ms Bailey, Mr Blair, Mr Boylan, Ms S Bradley, Ms Bradshaw, Ms Brogan, Mr Carroll, Mr Catney, Mr Dickson, Ms Dillon, Ms Dolan, Mr Durkan, Ms Ennis, Ms Flynn, Mr Gildernew, Ms Hargey, Ms Hunter, Mr Kearney, Mrs D Kelly, Mr G Kelly, Ms Kimmins, Mrs Long, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCann, Mr McCrossan, Mr McGlone, Mr McGrath, Mr McGuigan, Mr McHugh, Ms McLaughlin, Mr McNulty, Ms Mallon, Mr Muir, Ms Mullan, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr O'Toole, Ms Rogan, Mr Sheehan, Ms Sheerin, Miss Woods.*

*Tellers for the Ayes: Ms Brogan and Mr Sheehan*

## **NOES**

*Dr Aiken, Mr Allen, Mr Allister, Mrs Barton, Mr Beattie, Mr Beggs, Mr M Bradley, Ms P Bradley, Mr K Buchanan, Mr T Buchanan, Mr Buckley, Ms Bunting, Mr Butler, Mrs Cameron, Mr Chambers, Mr Clarke, Mrs Dodds, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Givan, Mr Harvey, Mr Humphrey, Mr Irwin, Mr Lyons, Miss McIlveen, Mr Middleton, Mr Nesbitt, Mr Newton, Mr Poots, Mr Robinson, Mr Stalford, Mr Stewart, Ms Sugden, Mr Swann, Mr Weir.*

*Tellers for the Noes: Mr M Bradley and Mrs Cameron*

*Main Question, as amended, accordingly agreed to.*

*Resolved:*

*That this Assembly notes the recent publication of Ulster University's Transforming Education project's research paper on 'Academic Selection and the Transfer Test'; further notes that this is yet another report that outlines the psychological harm that academic selection causes to children; acknowledges the finding within the report that there is little evidence that social mobility is increased by academic selection; agrees with the conclusion articulated in the report that the current arrangements for school transfer at age 11 are damaging the life chances of a large proportion of the school population; further notes that the right to use academic selection is currently enshrined in law; and calls on the Minister of Education to give notice that he will repeal this legal provision by 2023 and replace it with a system that has the widest support and prioritises educational excellence for all without academic selection.*

*Adjourned at 6.00 pm.*

Suggested amendments or corrections that arrive no later than two weeks after the publication of each report will be considered by the Editor of Debates.

They should be sent to:

✉ **Editor of Debates, Room 248, Parliament Buildings, BELFAST BT4 3XX**

☎ **028 9052 1135**

📧 **simon.burrowes@niassembly.gov.uk**

Hansard reports can be made available in a range of alternative formats, including large print, Braille etc. For more information, please contact:

✉ **Hansard Admin Unit, Room 251, Parliament Buildings, BELFAST BT4 3XX**

☎ **028 9052 1463**

📧 **hansard@niassembly.gov.uk**

The Official Report (Hansard) is licensed under the Open Northern Ireland Assembly Licence, which can be accessed here: [Open Data Licence](#)

[To receive an alert each time an updated plenary report is published, you can follow @NIAHansard on Twitter](#)